

Inver Grove Heights City Council
In Person Meeting and via Zoom (Hybrid Meeting)

Monday, April 26, 2021 at 7:00 p.m.

A G E N D A

NOTICE TO RESIDENTS: If you are interested in participating on **Item 7. Public Comment**, please contact Rebecca Kiernan prior to this meeting via telephone (651) 450-2513 or email (rkiernan@ighmn.gov) to inform her - your name, address and to what you wish to speak on. Individuals may submit written public comments in advance of the meeting by emailing comments to Rebecca Kiernan (rkiernan@ighmn.gov). Comments received prior to 4:00 p.m. on Monday, April 26, 2021, will be provided to the Council at or before the April 26, 2021, meeting. **Phone Number to Reach Meeting: 651-450-2471**

1. Call to Order

2. Roll Call

3. Presentations

4. Consent Agenda

All items on the consent agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from this agenda and considered in normal sequence.

- A.** Minutes from the March 22, 2021 City Council Meeting.
- B.** Disbursements for Period Ending April 20, 2021.
- C.** Consider Approval of Personnel Actions.
- D.** Consider Resolution resolving typographical error in Ordinance No 1405.
- E.** Motion to Authorize City Attorney Execution of Tolling Agreement Regarding Threatened Inverse Condemnation and Flooding Claims re PID## 20-00500-31-010 and 20-00500-32-010.
- F.** Consider Resolution Receiving Feasibility Report, Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2021-08 - Southern Trunk Watermain Improvements
- G.** Consider Resolution Awarding Contract for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08)
- H.** Consider Resolution Approving Permanent Drainage and Utility Easement and Temporary Easement for Construction purposes for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08).
- I.** JIM & LORA KRECH - Consider the following requests for property located at 2585 - 62nd Street:
 - 1. A Resolution relating to a Preliminary and Final Plat to be known as Oakbush Fifth Addition.
 - 2. A Vacation of drainage and utility easements within Lot 4, Block 1, Oakbush Second Addition, Lot 2, Block 1, Oakbush Third Addition and Lot 1, Block 1, Oakbush Fourth Addition.

5. Public Hearing

- A.** Public Hearing to Consider the Application of an On-Sale, 2 a.m., and Sunday Liquor License for Los Portales Bar & Grill, 5816 Blaine Ave.
- B.** Public Hearing to Consider a Resolution Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2020-06 Good Samaritan Pond (1301 50th Street).

6. Regular

Community Development.

- A.** Consider Approval of Rental Renewal License with conditions.
- B.** Consider the Second Reading of an Ordinance to allow fences to be 48 inches in height within the front yard area of a lot.
- C.** RYAN IHLE- Consider A Resolution relating to a Variance from side yard setbacks for a garage addition for the property located at 7755 Boyd Avenue.
- D.** KIEHM CONSTRUCTION - Consider the following for the property located at 2660 50th Street:
 - 1. A Resolution relating to a Conditional Use Permit Amendment for a contractor's shop with outdoor storage.
 - 2. A Resolution relating to a Variance to allow a building with a 10-foot setback along rear property line.
- E.** PRECISION SIGNS - Consider a Resolution relating to a Variance to install two free standing signs less than 200 feet apart for property located at 11380 Courthouse Boulevard.
- F.** ALLIANT VENTURES III - Consider the following for the property located on Cahill Avenue, west of Inver Grove Trail:
 - 1. An Ordinance to Rezone the property from E-1, Estate Residential to R-3B, Multiple Family Residential.
 - 2. A Resolution relating to a Preliminary Plat for a 20-lot townhome development to be known as Pine Bend Estates 2nd Addition.
 - 3. A Resolution relating to a Conditional Use Permit for a multiple family development.
 - 4. A Resolution relating to a Variance from front yard setbacks and building separation.
- G.** BUILDER LOT GROUP (PELTIER RESERVE) - Consider the following requests for property located at 7250 Argenta Trail and 1266 70th Street:
 - 1. An Ordinance to Rezone the property from A, Agricultural to PUD, Planned Unit Development
 - 2. A Resolution relating to a Preliminary Plat and Preliminary PUD development plan for a 126-lot single family subdivision and a 180-unit apartment building.

Administration

- H.** Consider Third Reading, Ordinance Amending City Code Related to Council Meeting Times.
- I.** Consider First Reading, Ordinance Amending Specific City Licenses due date from January 1st to May 1st.

7. Public Comment

Public comment provides an opportunity for the public to address the Council on items that are not on the agenda. Comments will be limited to three (3) minutes per person.

8. Mayor and Council Comments

9. Executive Session

- A.** Closed session pursuant to Minn. Stat. § 13D.05, Subd. 3(b), for a confidential attorney-client discussion concerning pending litigation in the matter City of Inver Grove Heights v. Ace in the Hole Real Estate LP, et al., Court File No. 19HA-CV-21-1069.

10. 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.

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, MARCH 22, 2021 - 7:00 P.M. - 8150 BARBARA AVENUE**

****In Person Meeting and via Zoom Video Conferencing (Hybrid Meeting)****

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, March 22, 2021, via In Person and Zoom Video Conferencing (Hybrid Meeting). Mayor Bartholomew called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present In Person: Mayor Bartholomew, Council Members: Dietrich, Piekarski Krech, and Gliva; City Clerk Kiernan, Interim City Administrator/Community Development Director Rand, and City Attorney McCauley Nason, Finance Director Hove, and Senior Accountant Battles.

Present via Zoom Video Conferencing/Phone: Council Member Murphy; Staff: Information Technology Manager Gade, City Planner Hunting, Environmental Specialist Sutherland, Fire Chief Thill, Associate Planner Botten, Interim Parks and Recreation Director Oyanagi, Interim Public Works Director Eckles, Assistant City Engineer Dodge, and City Engineer Kaldunski.

Arnold Kubai, Aurianna Norwood, Cory Hoveland, David, Evan Bollman, Dick Moser, Kara Pringle, Patricia, Polly Novack, Scott England, Kim Korby, Shawn, and David Langer.

3. PRESENTATIONS:

Presentation of Certificate of Achievement for Excellence in Financial Reporting.

Mayor Bartholomew stated the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the City of Inver Grove Heights by The Government Finance Officers Association of the United States and Canada for its 2019 Comprehensive Annual Financial Report. This Certificate of Achievement is the highest form of recognition in the area of Governmental accounting and financial reporting. He stated attaining this Award represents a significant accomplishment by our Government and its Management.

Mayor Bartholomew presented the Award to Finance Director Amy Hove and Senior Accountant Shannon Battles. He thanked Finance Director Hove for all she does stating this achievement helps with the goals of the City, gives a great Bond Rating, and gives full confidence and fiduciary responsibility to taxpayer's money. This is deeply appreciated by the Mayor himself, the Council, and citizens.

Finance Director Amy Hove thanked the Council for their support along with the Auditors and remaining Staff in the Finance Department: Marlys Sweeney, Ryan Albright, Jenny Blackbird, Angie Freier, Teri O'Connor, Bill Schroepfer, and Shannon Battles the Senior Accountant.

Mayor Bartholomew stated without the Finance Department the City would not be able to function as a Government. He appreciates the Departments diligence.

4. CONSENT AGENDA:

- A.**
 - i.** Minutes from the February 8, 2021 City Council Meeting.
 - ii.** Minutes from the February 22, 2021 City Council Meeting.
- B.** Disbursements for Period Ending March 16, 2021. **Resolution 2021-74**
- C.** Consider Approval of Personnel Actions.
- D.** Consider **Resolution 2021-75** Authorizing 2020 Budget Carryovers.
- E.** Consider Approval of Lease with Dakota County for Criminal Justice Network (CJN). **Resolution 2021-76**
- F.** Consider **Resolution 2021-77** Approving a Wetland Replacement Plan Application for the Impact of Wetlands on Property Located in the Northeast Quadrant of Hwy 3 and 70th Street.
- G.** Consider **Resolution 2021-78** Approving Telework Policy.
- H.** **Resolution 2021-79** approving City Voluntary contribution to IGH Volunteer Fire Retirement Association.

- I.** Consider a Conditional Use Permit Amendment for a 2,000 square foot building addition for the property located at 1290 50th Street (Jaeger Construction/Hyundai). **Resolution 2021-80**
- J.** Consider **Resolution 2021-81** Receiving Bids and Awarding Contract for the 2021 Pavement Management Program, City Project No. 2021-09A - Crackseal.
- K.** Consider **Resolution 2021-82** Receiving Bids and Awarding Contract for the 2021 Pavement Management Program, City Project No. 2021-09B - Sealcoat.
- L.** Consider approval of easement acquisition agreement, temporary and construction easement, and permanent drainage and utility easement for City Improvement Project No. 2020-09D - Delaney Circle and Delaney Court Improvements. **Resolution 2021-83**
- M.** Consider a **Resolution 2021-84** Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2021 Pavement Management Program, City Project No. 2020- 09D - Delaney Circle and Delaney Court Improvements.
- N.** Consider **Resolution 2021-85** Approving Plans and Specifications and Authorizing Advertisement for Bids for the 2021 Pavement Management Program, City Project No. 2021-09D - Bryant Lane Area Improvements (aka Majestic Woodlands).
- O.** Consider Resolution Approving Encroachment Agreement for Landowner Improvements Within City Drainage & Utility Easement for 8139 Cameo Circle, Lot 8 block 1, Jan Lyn Addition.

City Clerk Rebecca Kiernan stated resident Kelly Kayser requested pulling the minutes of February 8th and February 22nd, 2021, for minor changes as noted.

Motion by Piekarski Krech second by Gliva to approve as noted and amended:

- A. i. Minutes from the February 8, 2021 City Council Meeting**
- ii. Minutes from the February 22, 2021 City Council Meeting**

Ayes: 5

Nays: 0 Motion carried.

Motion by Dietrich second by Piekarski Krech to approve the Consent Agenda Items 4B through 4O.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC HEARING:

6. REGULAR AGENDA:

Community Development:

A. Consider Third Reading of Ordinance Amending City Code Title 5, Chapter 4, Section 2(B)(3) Relating to Notification Requirements for Chicken License Renewal Applications. Ordinance 1401.

City Attorney Bridget McCauley Nason stated this is the Third Reading of the Ordinance Amending Chicken License Renewal Applications. There are no changes to the Draft Ordinance from the Second Reading. The change then was to remove the requirement for neighbor notification prior to issuances of a renewal Chicken License.

Motion by Murphy second by Piekarski Krech to approve the Third Reading of Ordinance Amending City Code Title 5, Chapter 4, Section 2(B)(3) Relating to Notification Requirements for Chicken License Renewal Applications. Ordinance 1401.

Ayes: 5

Nays: 0 Motion carried.

B. Consider the Third Reading of an Ordinance Amendment deleting the use "Ministorage facilities (with caretaker quarters) and outdoor vehicle storage" as a conditional use in the B-3, General Business District. Ordinance 1402.

City Planner Allan Hunting stated there are no changes for the Third Reading. Upon approval, mini storage would no longer be allowed in the B-3 Commercial District. Mini storage would still be allowed in the I-1 and I-2 Districts.

David Langer stated he represents the Mrozinski family that owns the property next door to US Mini Storage. Their concern is with the change. The biggest issue, based on current zoning, is what they could do with their landlocked parcel of property on the south side of 50th, west of US Mini Storage. The site is about two acres in size and has been for sale for over three years. He stated most interested parties revolve around smaller scale multi-family uses. There have also been small light industrial users. He stated light industrial does not work with the zoning unless there was a limited/non-existent allowable use of outdoor storage. If keeping everything inside, it would probably work. He has tried to get them to come to the table for an application for rezone.

He requested there be no formal commitment, but willingness to consider options such as multi-family use, specialty senior housing use, low density such as a 30-40 apartment type use, or something non-existent of outside storage. He stated he has spoken to several in those categories, without knowledge that it would be looked at or considered, they have held back. He asked for an open door thought process and commented the current zoning is pretty limiting.

City Planner Hunting stated the current zoning of the property is office park. In the 2040 Plan the future land use designation was changed to Community Commercial. If someone wanted to pursue a multiple family project such as apartments, senior housing, or assisted care, it would require a Comprehensive Plan Amendment change to a Multiple Family District and then rezoning. He stated residential would seem reasonable but typically see higher density type projects along busier streets or highways. He commented there is a very large multiple family project to the north on 50th on either side of Blaine Avenue.

He stated going to some type of light industrial would require a Comprehensive Plan Amendment and rezoning. Abutting the freeway would be a bit nosier as this is at a dead end at the end of 50th Street. It could be a lighter scale use. He stated that either of those uses would seem reasonable in the location. It would require a Comprehensive Plan and rezoning for either of the types Mr. Langer suggested.

Mayor Bartholomew stated from the conversations had from the previous two Readings, he believed the Council would consider an appropriate change in the Comprehensive Plan and zoning to fit the use and to allow different use once storage is taken out of the B-3 location.

Mr. Langer stated it was the same as it would be otherwise. He was looking for Staff to know that the Council is open to consider other uses outside of the existing zoning characteristics of office park. He stated he has had multiple people wanting to buy the property for Industrial and have expressed a desire to have a decent amount of outside storage. He has responded that everything needs to be indoor, not a lot outside. Mayor Bartholomew responded that he believed the Council would be receptive to any application that comes forward requesting a change, the Council would look at the request and get a consensus. He stated they understand there would be a need to sell the property and are taking away one component of it. He commented he is in favor of looking at any application brought forward.

Councilmember Dietrich stated Mr. Langer brought up a good point, the property has a lot of potential, it is difficult not knowing the parameters around it. She stated she was in favor of looking at other uses and looks forward to something there in the near future.

Councilmember Murphy asked if other zoning changes such as this have been successful. City Planner Hunting responded there is always the possibility of someone wanting to do something other than current guiding. Council has looked at those changes and approved many. Staff is always willing to look at a different use and recognizes that uses and demand can change.

Councilmember Piekarski Krech stated there were three properties that are B-3 that do not fit this. They have said they were open to changing them to something else.

Motion by Piekarski Krech second by Dietrich to approve the Third Reading of an Ordinance Amendment deleting the use "Ministorage facilities (with caretaker quarters) and outdoor vehicle storage" as a conditional use in the B-3, General Business District. Ordinance 1402.

Ayes: 5

Nays: 0 Motion carried.

City Attorney McCauley Nason stated this would be effective upon passage and publication. It would be published in the official newspaper and would officially become the revised version of the Zoning Ordinance/Code Provision related to the mini storage use.

C. DAVID AND PAULINE NOVACK - Consider a Resolution relating to a Variance to allow more than one detached accessory structure on the property located at 8775 Bacardi Avenue. Resolution 2021-86.

Associate Planner Heather Botten stated the request is for property located east of Jefferson Trail along Bacardi Avenue. The property is zoned R-1C, Single Family Residential District. The lot contains the Applicant's home, detached garage, and a small shed in addition to the 512 square foot structure. There is not an attached garage. She stated the Applicant is requesting a variance to allow more than one detached accessory building on the property where one is allowed in the R-1C District.

She stated the Applicant began construction of the building but stopped work once they were made aware a Permit was required. A Building Permit has been applied for but is on hold for further Staff review until the variance process is complete. The structure complies with other Zoning Code requirements such as setbacks and impervious surface requirements. It is 16 feet from the rear property line and 6 feet from the side property line. The property is in a developed neighborhood with most homes built in the 60's or 70's. There are other properties in the neighborhood that contain more than one detached accessory structure.

She stated to note, if a structure is 120 square feet or less, it does not count toward the total number allowed on the property. City Code does not have any flexibility for properties that do not have an attached garage, to allow them to have more than one detached structure. The detached garage counts as the one allowed by Code requirements. Staff recommends denial of the variance request as approval could set a precedence for other requests to exceed the number of accessory structures allowed on the property. Staff believes the facts presented do not satisfy the variance criteria needed to show Practical Difficulty. The Planning Commission recommended denial of the variance at the March 16th Public Hearing due to the lack of Practical Difficulty. She stated the Planning Commission also discussed the need of a possible Ordinance Amendment to review City Code relating specifically to lots that do not have an attached garage, and if those lots would be allowed to have more than one detached accessory building.

Councilmember Piekarski Krech stated she could have 20, 120 square foot buildings. Associate Planner Botten responded as long as it complies with setbacks and impervious surface requirements, yes.

Mayor Bartholomew asked if impervious surface has been tested with the new building. Associate Planner Botten responded she reviewed via aerial photos and would verify with the homeowners if the variance is approved. If exceeding the maximum, Staff would work with Engineering to come up with a stormwater facility maintenance plan. She commented from what she has seen, the homeowners would be in compliance with impervious surface.

City Clerk Kiernan stated comments received from Linda Dehrer Wendt and John Wendt should be accepted into the record by Council.

Motion by Piekarski Krech second by Gliva to accept the comment into the Record.

Ayes: 5

Nays: 0 Motion carried.

David Novack (in person), 8775 Bacardi Avenue, stated he has a detached garage where others in the neighborhood have attached garages. In their process, they put a hot tub into the home and want to enclose it. He stated there was an issue with one of his neighbors who said they were building in the easement. They were not building in the easement, there was an electrical pedestal when burying the power line. With the process and having more than one building, he stated they are fine with removing the storage shed for impervious surface. They are open to taking down the shed to enclose the hot tub due to a bee allergy and safety for kids.

Mayor Bartholomew stated Staff and the Planning Commission have both recommended denial, the Council will have to look for a Practical Difficulty. Mr. Novack responded the home was built in 1971, they cannot have an additional structure other than a garage. He stated with what Councilmember Piekarski Krech stated he could put up four or five 10x12 additional structures and be fine. He commented if taking down the shed they would have a garage and one additional structure. He stated the Planning Commission has said this subject came up in 2020 and has been an issue with older homes.

Councilmember Piekarski Krech asked how many square feet total it would be with the current detached garage and the new structure. Associate Planner Botten responded slightly over 1,200. The garage is 760 and the proposed structure is 512 square feet. Councilmember Piekarski Krech asked if it was allowed to have more than 1,000 square feet. Associate Planner Botten responded if someone wanted to build just one detached structure on their property it can be up to 1,000 gross square feet.

Councilmember Gliva asked what the square footage was of the potential building that would be taken down. Associate Planner Botten responded the storage shed is just under 120 square feet.

Councilmember Piekarski Krech suggested cleaning up the verbiage allowing several little sheds of 120 square feet in a backyard. Councilmember Dietrich asked to have a discussion on the Ordinance as a whole, at a Work Session. She stated the Planning Commission got this right with the parameters given at this time. Mayor Bartholomew stated they need to discuss the notion of a detached building. He stated there was another issue regarding the amount of square footage on a lot less than five acres.

Mayor Bartholomew asked Interim City Administrator Rand if these items could be placed on a Work Session for discussion. Interim City Administrator Rand responded yes. She stated the Planning Commission will be planning to discuss the ratio concept and bring recommendations to the City Council at a Work Session. Both items could be discussed at that time.

Mayor Bartholomew addressed Mr. Novack's request and questioned what to do in the interim. He commented he could not vote for approval of a variance, but the Council would be discussing the Ordinance. Councilmember Gliva stated the need to have a discussion and look at the Ordinances and be consistent. Councilmember Murphy agreed stating this is the second time the Ordinance has not kept up with the Community.

Councilmember Piekarski Krech stated Mr. Novack has a partially finished building that he is not allowed to finish. If turning this down, the building would have to be taken down. She asked how to solve this immediate problem, or if a hold could be put on it until they can have further discussion.

City Attorney McCauley Nason stated the City Council has to take action as noted on the application. With what happens moving forward, the Council is looking for additional options and potential changes. No additional building or construction can occur on the site if the variance is denied. Knowing that a change is potentially imminent, there could be a deferred enforcement period for two to three months while the Code is reviewed.

Councilmember Murphy asked about previous times variances have been denied and partial construction had to be taken down. He asked if there was any liability. City Attorney McCauley Nason responded the cleanest course of action would be to tell him to take it down and give the time to do so. It could be said he has up to three months to remove the structure. She stated if Council comes back and changes the Ordinance for that type of structure to be allowed, that would solve the problem. In the past there has not been specific direction from the Council that she was aware of, to move forward with an Ordinance change to address the particular situation. She stated nobody is saying it can be kept up, it states there is a certain period of time to take it down. The current

building cannot be improved or built on. She stated if there are others who build things without Permits all Code provisions still apply.

Councilmember Murphy stated he was thinking about a fence that recently had to come down. Associate Planner Botten responded that was different as there was not direction to look at an Ordinance change, it was a denied variance. She stated putting the extended timeline to remove, with a three- or four-month timeframe, after Council makes a decision if an Ordinance change can take place. She commented just in case the public process takes longer than three months, she did not want them to be tied to 90 days as it may still be going through the public process. Councilmember Murphy stated this was different as they may give it time to be taken down. Associate Planner Botten agreed stating they are looking at an Ordinance change that could possibly allow it to stay.

Mayor Bartholomew clarified the timeframe stating there would be three or four months after the Ordinance change discussion for the process and there would be a date certain to tear down if needed. Associate Planner Botten agreed stating she wanted there to be flexibility. City Attorney McCauley Nason recommended a specific date certain be set, such as 120 days from today's date. If this comes to the Council at a Work Session and direction is to not look further at it now, they do not want anything open ended. If the Council does not change it, there is a violation, and the structure would have to be taken down. She asked if 120 days was reasonable. Associate Planner Botten agreed with 120 days.

Mr. Novak commented if attaching the garage to his home he would have no issue. City Attorney McCauley Nason responded she believed if attaching the garage to the house and removing the other shed, Mr. Novak's comment is correct. Associate Planner Botten responded if attaching the garage to the house, he would be fine with his proposed 512 square foot structure and no variances would be needed. The smaller shed that is less than 120 square feet could be kept and does not count toward the total number. She stated attaching the garage to the house may add impervious surface and he could be over the amount. In that case, he would work with the Engineering Department to treat the additional stormwater on the property.

Mr. Novak stated the part that would be attached is already a concrete slab. It would be a process of enclosing the concrete slab. He commented if all he needed to do was attach the garage, he would do it if it makes it easier. Associate Planner Botten responded it could not be attached with just a breezeway, it would have to be an actual attached shared wall, it may need to be heated or need footings. She stated she would have to work with the Building Official about what makes it attached. Mr. Novak responded he would be willing to work with the Associate Planner.

Mayor Bartholomew stated if denying the variance and giving a 120-date certain, would give time for an Ordinance discussion. Mr. Novak responded he would speak with Associate Planner Botten about attaching it correctly. He stated an Ordinance change would not just affect him; it affects many.

Councilmember Gliva stated she believed this needed to be denied. They need to work on new Ordinances.

Motion by Gliva second by Murphy to deny Resolution 2021-86 relating to a Variance to allow more than one detached accessory structure on the property located at 8775 Bacardi Avenue and to move forward with a 120-day time period for Date Certain and review the Statute with input from Staff.

City Attorney McCauley Nason clarified that the Motion is to approve the Resolution in the packet on Page 282 denying the variance for all reasons therein. Councilmembers Gliva and Murphy agreed.

Ayes: 5
Nays: 0

John and Linda Wendt were on the phone to speak regarding this topic. Mr. Wendt stated they, and others in the neighborhood are opposed to the variance. He commented there were things Mr. Novak did not tell Council. If looking at the pictures he submitted, there are no footings or a proper foundation for the shed. The building is sitting on a few concrete blocks. He stated Mr. Novak mentioned the pedestal in the center where he placed an electrical box three feet into the alley even though the power to the new building runs toward the garage. He

stated there is a recorded easement that runs the entire length of the block, the alley easement is not a utility easement. It has been on record for over 60 years and on the Deed for all the homeowners, including the Applicant. He stated Mr. Novak stated to the Planning Commission that Dakota Electric put the box in the alley for easy access. He stated he contacted Dakota Electric who said the Homeowners never told Dakota Electric there was an alley easement. He commented the box may help the Applicant but would be a burden on every other home on the block and needs to be moved. He said they are not trying to deny anyone of their happiness. There is a 16-foot easement, the box is currently three feet into it. People drive down the alley and turn onto his property to turn because of the electrical box. He commented when the Novak's purchased the property it is on their Deed and they completely ignored it.

Mayor Bartholomew stated the easement resolution will be addressed. The variance has been denied and the Applicant cannot proceed. He stated they will be reviewing Ordinances. He requested information from the City Attorney on the alley easement. City Attorney McCauley Nason responded they reviewed the Title work submitted with the Application. The alley easement is a private alley easement as opposed to a public alley easement. It is located on the Title and would be a private property owner issue. It is not a City easement. She stated because it is a private easement and benefits just the properties, it is a matter between the private property owners. Mayor Bartholomew asked if the review would continue. City Attorney McCauley Nason responded no. Mayor Bartholomew asked if it is discovered to be public easement, if it could be brought to the Council's attention. City Attorney McCauley Nason responded yes.

D. AURIANNA NORWOOD - Consider the following requests for property located at 640 9th Avenue:

- 1. A Variance to allow more than one accessory structure on the property. Resolution 2021-87.**
- 2. A Variance to allow a detached Accessory Dwelling Unit (ADU) on a lot less than one acre in size. Resolution 2021-88.**

City Planner Allan Hunting stated the request is to add a detached accessory dwelling unit on the property. Two variances are needed:

1. To allow an accessory ADU on a lot that is less than one acre in size.
2. To allow a second accessory structure on the property.

The Applicant is proposing to construct a 480 square foot accessory dwelling unit on the backside of the lot. The house is on the property along with a detached garage, pool, and patio area. The lot is approximately 20,000 square feet, ½ acre.

He stated when the Accessory Dwelling Unit Ordinance was reviewed and created in 2015, lot size was a discussion point for detached ADU's with the concern being to minimize the impact to neighborhoods. The Housing Committee suggested allowing on lots as small as 12,000 square feet. When Planning Commission reviewed the request, they supported a larger lot and suggested a one-acre minimum lot size for detached ADU. The Ordinance was adopted with that minimum lot size requirement.

He stated there was just discussion about multiple accessory structures. When the Ordinance was created it was the intent to exclude smaller lots and exclude this type of situation allowing a detached accessory structure. Staff and the Planning Commission do not support the variances. He stated the Council packet contains Resolutions for both denial and approval. If supporting, Council would have to state a Practical Difficulty for the variances. Mayor Bartholomew stated there was discussion about what the Housing Committee proposed and was decided the City would have the one acre minimum. It would not be less than one acre; it would need to be one acre or more for an ADU.

Arianna Norwood, 640 9th Avenue South spoke via Zoom and stated the request is for an accessory dwelling unit at the back of the property. The Practical Difficulty was the unique shape of the property, it is elongated and narrow. She stated the preference would be to build an addition onto the house itself, so a variance is not required, but are unable due to the setback requirements. She commented the detached garage limits their choices. Neighboring homes have attached garages, putting them at a disadvantage and needing to request a variance. She stated the proposed structure would be 480 square feet. The maximum square foot allowed for an ADU would be 1,000 square feet.

Councilmember Piekarski Krech asked if they attempted to get a variance to add onto the house. Ms. Norwood responded no, a variance to add onto the house would not be required. The requirement for the lot size is only for a detached accessory dwelling unit. Councilmember Piekarski Krech stated this item is requested because they cannot add onto the house even though they could request a variance to do so.

Mayor Bartholomew stated the lot size is not big enough for an ADU and he cannot support the request. He stated the accessory structure has to be denied. Staff recommends denial, he cannot see a Practical Difficulty, it is not close to the acre required. Councilmember Murphy agreed stating the issue for him is density. He is not seeing a Practical Difficulty. Councilmember Piekarski Krech stated the house could be added onto. She did not agree with another structure, it does not meet the minimum lot size.

Motion by Murphy second by Gliva to deny requests for property located at 640 9th Avenue:

- 1. A Variance to allow more than one accessory structure on the property. Resolution 2021-87.**
 - 2. A Variance to allow a detached Accessory Dwelling Unit (ADU) on a lot less than one acre in size. Resolution 2021-88;**
- with the reasons presents by Staff and in the Planning Report.**

Ayes: 5

Nays: 0 Motion carried.

E. SKIGH DEVELOPMENT - Consider a Comprehensive Plan Amendment to change the land use designation from NC, Neighborhood Commercial and LDR, Low Density Residential to MDR, Medium Density Residential for the two parcels located at 5871 Cahill Avenue.

City Planner Hunting stated the Applicant is proposing to redevelop the two lots and construct a 26 unit, one building three story apartment. To accomplish this a Comprehensive Plan Amendment is required. Current guiding of the property has a single-family home on the southern lot guided low density residential. There is an auto repair building that was reguided to neighborhood commercial. He stated in 1997 the City rezoned the northern half to commercial for the auto repair and rezoned the lower half to single family. It had been guided agriculture.

He stated Staff has looked at this, there is a mix of uses in the area such as: commercial, office, single family, multiple family, townhomes, and senior apartments. The west side of Cahill is more single type use. The closest higher density multiple family on the west side of Cahill is about 1/3 down off of 65th Street. He stated the Staff report provides a definition of all the different existing land use categories. Relevant policies were listed. He questioned if the land use category should be changed and if so, is the use proposed consistent with the neighborhood. The proposed density is similar to others in the area. Staff has been supportive of the change and recommend approval of the Comprehensive Plan Amendment to a Medium Density Residential.

Mayor Bartholomew wanted to make sure the Resolution is clear and does not take effect until there is a Preliminary Plat and site plan approval. City Planner Hunting agreed.

Councilmember Piekarski Krech stated not seeing the site plan makes it difficult. She understands the neighbors concerns to the west. If there was a significant buffer, it would be the same difference as having Walgreens there. She was concerned about how to buffer it from an existing residential neighborhood. City Planner Hunting responded there is an approximate 40-foot elevation change from the ground floor of the units to the back yards of the single-family homes. The building could be about 35 feet and would be lower by elevation but would be visible. He stated there is existing vegetation on the hill that would fill in during the summer months and be more open in the winter months. He stated they could not guarantee they would be able to screen the building from the backyards of the homes on top of the hill.

Councilmember Piekarski Krech stated she was not as concerned about the screening as much as the distance between and spacing. She questioned if it would be closer to Cahill to allow more green space between the development and homes. City Planner Hunting responded the building is proposed to be in the middle of the lot, there would be buffering in the back. Land would not be disturbed all the way to the homes back property line.

Councilmember Gliva stated they are going from a residence and lower density on two different properties and going to medium density. There would be two different placements. She asked why it would change that dramatically. City Planner Hunting responded the proposed density of the project requires a change of the Comprehensive Plan to medium density with 8-12 units per acre. The southerly lot is guided low density residential, which can have 1-4 units per acre. The northerly lot is currently neighborhood commercial and needed to match the existing B3 commercial zoning because there had been an auto repair shop on the property. The change to a higher density is required based on the project proposed. He stated he could not remember if there were always two lots. There was a single-family home and a detached garage, the garage was converted into the auto repair business.

Scott England, (phone) DJR Architecture, 333 Washington Avenue North, Minneapolis, MN 55401 represented SKIGH Development stating they are proposing to make an Amendment to the 2040 Comprehensive Plan. If affirmed, they would go through the site plan review and zoning. The parcel is located at Cahill and Upper 55th Street, a busier street. He stated what is normal for a busier street is to have more intensive development. There are higher activity uses happening at the intersection. He stated it is normal to have a gradual step down from the more intense uses of the Community. Medium density residential would be a step down from those heading toward the lower residential density areas.

He stated the current guide dealt with an existing single-family home and a repair garage. If the existing guidance stays in place the lot could be redeveloped much like the Walgreens with height, site use, impervious surfaces, and retention of trees. He stated they see the development of a medium density residential three-story apartment building to be a gradual change of use. He displayed an image of the proposed apartment building with a parking lot in front and an underground parking garage. He stated the grades are shown with the bottom being 825 elevation, the parking lot is at 830, the first floor is at 837 and by the time they get to the top of the hill they are at 860. That is in addition to the extensive number of trees. He stated part of the reason the building has been placed conceptually is due to a large tree that is very special to the existing owners of the property that they would like to maintain. There is also another tree to the rear of the development that is also special to the owners. He stated by Cahill there is a slight dip with a bit of a retention pond, behind the building the grade goes up and then down, then back up as it gets over to 5888 Burke Trail. There is extensive vegetation between the two properties and the ground is about level with the roof of the building.

Mayor Bartholomew asked if there would be a traffic study. Mr. England responded yes.

John Maloney, (in person) 5888 Burke Trail, stated he lives in the Woodlands development to the west of the proposed development. He opposes the development and hopes the Council denies the request. He stated he and his wife have lived in the City for 35 years and moved into this current home in 1997. He stated the previous owner of the property, Larry Krech, changed the zoning of the property to be in compliance. He ran a car repair shop in the garage and was non-compliance for low density residential. He stated he spoke to Mr. Krech and was in agreement with the change so the business could continue to run in the location.

He stated looking at the lot lines its clear the garage was carved out of the lot to be in compliance with zoning. Allowing this zoning change is not fair for Larry's small business as a gateway to a much higher use going forward. He was shocked to see this type of density. He stated the neighborhood he is in is part of the LDR designation with 1-4 units per acre, his development is more like 1-2 per acre. This proposal is at the high end of the designation and to him, there is not a transition in classification. He stated he read through the City Comprehensive Plan and commented the City spends time and effort on it, to consider changing it because the Developer wants to put something in. He believes the City should pause and take a harder look at this.

Jason Kustritz, (in person) 5898 Burke Trail, stated he has lived in the City for eight years and enjoys the Majestic Woodlands area. He agreed there is a City Plan with zoning and to potentially throw it out so a developer can make a profit against the wishes of the taxpayers and residents in the area is a mistake. He stated there are other areas available for medium density housing. He suggested those areas be looked at instead of this area as they are already designated medium density. He is not against any development on the property but believes another option would be better. He commented that he was worried about what could happen with property values if the project goes through. He is concerned about a utility easement at the back of the property. He stated that

people walk through there and is concerned with more residents in the area and creating more of a potential problem. He was concerned about the properties down the line, if the homeowners feel they could make a profit by selling to a developer, the entire length of homes would be medium density in the future.

Jean Bohlig, (in person) 5906 Burke Trail, stated they have lived in the area for 33 years. One of the reasons they purchased the home in 2013 was the beautiful view out back. A nice view and privacy are important for them. She stated in purchasing the home they checked out the adjacent lots behind them and they appeared to be zoned single family/low density and felt comfortable purchasing the home. In 2019 the Comprehensive Plan had the lots continue to be zoned low density residential. She stated as residents of the City, they rely on the plans to be solid, especially given how extensive the land use plan is. She commented a Developer gets attention and the City considers rezoning the lots to medium density to build an apartment building. She stated she does not appreciate the zoning change; it changes the landscape of the neighborhood. She asked the Council to please consider extending the character of the neighborhood by utilizing the lots for single family dwelling. She is concerned about property value and assumes it would be reduced.

She stated she noticed the ratings for nearby Hilltop Elementary School are not noteworthy and wondered what impact it would have if residents of the apartment building are sending their children to the school. She commented whatever issues the school is having needs to be addressed before any decisions are made to increase the number of students attending. She stated her feelings are those elected to the Council, represent and work for residents, not the Developer. She requests this not be passed.

Jenny Finwall, (in person) 5905 Cahill Avenue, stated her property is south of the proposed development and shares a 270-foot property line. They are at a similar elevation. She would get parking lot noise and lights. She did not move there to live next to an apartment building and does not want it next to her home. She commented living between an apartment building and the emergency housing down the street is a concern. She has been approached by a panhandler while she was in her driveway last winter. She has safety concerns and concerns about the addition of kids going to the schools.

Regina Barr, (in person) 5947 Bryant Lane, stated she is speaking against the proposed zoning request. She referenced what resident John Maloney said about the person who was trying to comply with zoning in the Community and had his property grandfathered in. She stated it was never the intent of the property to be a commercial property, it was to allow a man who had a business. She felt the spirit and intent of the change should be honored. She stated the Council just denied several variances for homeowners, it seems like when a Developer comes with a development, the City bends over backwards to rezone and change variances. She likes to see standardization in things applied equally and should apply to both homeowner and Developer. She commented she does not believe a Developer who does not live in the Community should get more precedence than the residents do. She opposes the rezoning. She does not oppose developments in the current zoning but opposes the rezoning to meet the needs of the Developer.

City Clerk Rebecca Kiernan stated she received two comments this week that need to be entered into the record from:

Mike and Sharon Carney, 5960 Burke Trail
Jason Kustritz, 5898 Burke Trail

Motion by Dietrich second by Gliva to accept the items into the record as stated by City Clerk Kiernan.

Ayes: 5

Nays: 0 Motion carried.

Mayor Bartholomew stated he has been on the Planning Commission for nine years, the Council for eight years, and has been through two Comprehensive Plans. A lot of thought and effort is put into them not only from Staff, but citizens and Commission input. The Plan has always been a living breathing Plan and one that can be modified and changed with a 4/5 vote. He stated he sees the merit but that does not mean he supports it at this time. He believed the distance is right and believes in the need for additional housing in the City. He understood the concerns of the adjacent property owners.

Councilmember Murphy requested the size of the southern portion of the lot. Councilmember Piekarski Krech responded it was 1.22 acres, .16 right of way. Both lots equal 2.52 acres. She stated the Comprehensive Plan does change, without changes people would not be in attendance. The Plan is a document to guide with. Every ten years it is discussed with the Met Council.

Councilmember Gliva stated she has a hard time agreeing there is a good transition going from low density to medium density. She commented she heard neighbors speak and listened to the one that would have the parking lot next to them. As a homeowner, she would not want that. She stated she does not know that this is a good fit.

Councilmember Murphy asked if there are established ranges to what is considered low density and medium density. City Planner Hunting responded the Comprehensive Plan defines the ranges. Low Density Residential is 1-4 units per acre, Medium Density is 8-12 units per acre. There is a category in between them called Low/Medium Density Residential with a range of 4-8 units per acre.

City Attorney McCauley Nason stated this item requires a Supermajority Vote. Statute requires a 2/3 vote; in a 5-member City Council amounts to 4/5 votes. Resolution of Approval is in the Council packets. If anyone on the Council is thinking about making a Motion to deny, she recommends, in order to provide Staff time to prepare a Resolution of Denial containing Findings of Fact to support the denial, making a Motion to table the item to the first meeting in April with the direction to Staff to prepare a Resolution of Denial outlining the reasons for denial.

Mayor Bartholomew asked if the Council would need to list the reasons for the denial tonight or at the meeting in April. City Attorney McCauley Nason responded if a Councilmember wishes to vote for denial, it may be a Motion to table the item to the April meeting. Staff would need to be directed to prepare a Resolution of Denial and articulate the reasons the Councilmember sees for denying the Application. When the Council takes up the item in April, there would be two Resolutions:

1. Of approval.
2. Of denial. This includes potential grounds for denial.

She stated the reason for this is because the Council has to come up with a written Findings of Fact related to the denial. Because that information is not in the packets, if Council is looking to denial, she recommends Staff be given the opportunity to provide that document to the Council.

Councilmember Dietrich asked if this could have been done with both Resolutions in the packet. City Attorney McCauley Nason responded yes; she could not speak to the specifics behind it other than it was a unanimous recommendation of Planning Commission for approval of the Comprehensive Plan Amendment. That could be why the Resolution in the packet was for approval. She stated there can be a placeholder Resolution.

Mayor Bartholomew asked if they should not list reasons for denial because there is not a Resolution for Denial as a placeholder. City Attorney McCauley Nason responded one way would be to come back and have something in writing prepared. If the Council wants to vote tonight to make a Motion to deny the Application, she would ask the Councilmember who is making the Motion what the reasons were. She would have to ask all Councilmembers who vote in favor what their grounds were. They would have to come back with the written Findings of Fact and reasons for denial for formal approval by the Council at the next meeting.

Motion by Gliva second by Dietrich to deny a Comprehensive Plan Amendment to change the land use designation from NC, Neighborhood Commercial and LDR, Low Density Residential to MDR, Medium Density Residential for the two parcels located at 5871 Cahill Avenue.

City Attorney McCauley Nason requested the grounds for denial from Councilmember Gliva. Councilmember Gliva responded she was not in favor of the variance. They have just put together a Plan less than two years ago and does not feel it was a good transition going from low density to high/medium density. Also due to the neighbors surrounding who were expecting this to be according to the Plan. She is not in favor of changing that. City Attorney McCauley Nason requested the grounds for denial from Councilmember Dietrich. Councilmember Dietrich responded hers were also along the same lines as Councilmember Gliva and that she wants to follow the guiding principle of the Comprehensive Plan.

Councilmember Murphy asked if the vote is to table the item or deny. Mayor Bartholomew responded the Motion is to deny.

Ayes: 3

Nays: 2 (Bartholomew, Piekarski Krech) Motion carried.

City Attorney McCauley Nason stated there would be something in writing for Council approval with the next Agenda.

City Attorney McCauley Nason asked Councilmember Murphy if he was voting to deny based on the reasons articulated by Councilmembers Gliva and Dietrich, or if there were other reasons. Councilmember Murphy responded he has different reasons for denying. He believed the west side of Cahill was different than the east side of Cahill. He would need more time to discuss with neighbors and would need to explore the number of units per acre in more detail. He stated a lot of this was new information and he has not had the time to fully look it over yet.

Administration:

F. Consider First Reading of Ordinance Amending City Code Title 1, Chapter 1, Section 1(A) Changing the Meeting Time for Regular Council Meetings to 6:00 p.m.

Interim City Administrator Heather Rand stated the Council has discussed this item at previous meetings. After three readings, the start time would change for the Council meetings that take place on the second and fourth Monday of the month from a 7:00 p.m. start time to a 6:00 p.m. start time. She stated the Council's thoughts on pursuing the time change was so the public could more readily attend. With the current 7:00 p.m. start time, the meetings can go long and be arduous to attend, participate, and view. This is the first of three readings. Residents can provide input. The change would not go into effect until May.

She stated Staff has reached out to Town Square Television to ensure this is something they can accommodate. They have said they are willing to work with the City. She stated there is additional language in the Ordinance that speaks to a practice already embraced, setting the meeting Calendar to accommodate when there is a holiday on a Monday. In the past Staff notifies the Council that they set a schedule of meetings throughout the entire year in January so everyone can plan. The Ordinance currently says the meeting date would be established prior to the Holiday. Staff suggests the Ordinance change incorporates what has been put into practice.

Mayor Bartholomew asked where the information was listed and posted other than the website, and if businesses were contacted. Interim City Administrator Rand responded they would put this on the website. Notice is in the paper, the bulletin board, and where meeting Agendas are posted.

Mayor Bartholomew asked if any negative comment has been received. Interim City Administrator Rand responded she has not heard any negative comments since the comments shared with Council a couple of weeks ago. She stated two weeks ago she attended the Planning Commission meeting to present the discussion by Council for future switching of meeting dates. It was suggested the Planning Commission move from a Tuesday meeting to a Monday and the City Council would move from a Monday to a Tuesday. The Commission responded they would be providing feedback in the future.

Councilmember Piekarski Krech stated 6:00 p.m. works for the Council that is currently seated. She asked if this precludes some from running for the Council in the future because of work constraints. She commented previous Councils had some Councilmembers that had difficulty getting to a meeting at 7:00 p.m.

Motion by Gliva second by Murphy to approve the First Reading of Ordinance Amending City Code Title 1, Chapter 1, Section 1(A) Changing the Meeting Time for Regular Council Meetings to 6:00 p.m.

Ayes: 5

Nays: 0 Motion carried.

G. Resolution approving Legislative Platform amendment to include Heritage Village Park.

Interim City Administrator Rand stated in January the Council approved a Legislative Platform with prioritization of Legislative issues. The Legislative Platform includes items the City is embracing as part of a coalition with the League of Minnesota Cities, other Cities, and the Minnesota Legislative Commission. She stated the Legislative Platform also includes a Bonding Bill request. The Council has discussed what was reasonable to request for State Bonding Grants. One suggestion was for improvements to the Public Works Garage, that was deemed not being of regional significance. Another suggestion was needs at Heritage Village Park to continue to develop for the redevelopment of Concord Boulevard and encourage the river for residents and visitors. She stated Council also included and settled on the reconstruction and modernization of 117th Street in the City due to the large volume of employment that relies upon the street connection.

She stated at the time (in January) it was thought best to go in with one priority in hopes of not spreading themselves too thin. It was noticed the Legislative Delegation, the Senator and Representative, introduced Bills for Heritage Village Park for continued park development. She stated over a week ago she was notified by the City's Government Affairs Professional that Representative Richardson had indicated that for the City, she did not feel the Legislative priorities had to be one or the other but believed strongly they should advocate for both the 117th Street modernization project in addition to Heritage Village Park and the development of that park. She stated shortly after she was invited to participate, by Representative Richardson, in a House Hearing last week on Heritage Village Park. It would be a matter of time before the Senate would request something similar of the City, in addition to moving forward with some direct advocacy for Heritage Village Park.

She stated this is the opportunity to discuss if the Council is comfortable with the Legislative Delegation suggestion to move forward with both priorities. She recommends moving forward with both priorities. She believes it is important to receive communication from Representative Richardson that she understands the City's #1 priority for Bonding this year is 117th Street. Should one fall off as they go through the Session, they should communicate in writing and send something to Representative Richardson that 117th Street is still the #1 priority for the Community.

Interim City Administrator Rand stated the Interim Parks and Recreation Director is on the line if the Council has questions. She stated she has heard the Council's concern about ongoing Park operations cost, if the City receives this Bonding Allocation and the park continues to get developed. Council has received additional information that addresses the costs.

Mayor Bartholomew stated he felt a bit pigeonholed by the Staff of the Representative calling and requesting a phone call from him about what his thoughts were on linking together the proposal of the Heritage funding and the 117th road repair, which Council agreed was priority. He stated he left a message with Representative Richardson and would share what he said in the phone call. He stated he understood the need to be diplomatic.

He stated in his message to Representative Richardson that it was the goal of the Council to get funding for 117th Street as a priority. For economic, transportation, and safety reasons. He stated he appreciated her promotion of Heritage Village Park. He said he was not going to say they would not accept or get in the way but did say their priority is 117th Street. He commented he said that as gently as he could. He stated this morning he had a meeting with the Finance Committee, Ms. Richardson introduced him with great respect and dignity, and he appreciated that. He stated she said she was in favor and support of the 117th Street improvement. He stated he gave his five-minute presentation, it went well, there were no questions. He said why it was needed, what Staff has told them, the safety concerns, benefits for commerce in the area, and for transportation for the surrounding commute population. It is not just commercial, its for those in the area to have a better commute. He stated he was very disappointed with the Representative. He does not want it to become a sticking point with the ability to get funding for 117th Street.

Interim City Administrator Rand requested the Council direct her to send correspondence and request something in writing from Representative Richardson that denotes she understands that the City's number one priority is still 117th Street.

Councilmember Dietrich stated she was on a call with Commissioner Atkins on March 11th, and this was how she had heard about it, it was mentioned off the cuff. She commented it did not sit well with her circumventing the

Council which is the governing body of the City. She asked why they were not notified by someone when the conversation started. She stated it seemed like a lot of people knew about it except for the people that make the decision. Interim City Administrator Rand responded she was made aware over a week ago that this was a Bill that Representative Richardson was saying Heritage Village Park and 117th Street. It is not an either/or proposition and wanted to move forward with both. She stated if Council asks why, she herself did not bring forth the information, she did not until Wednesday of last week.

Councilmember Murphy started the Council put a fair amount of work into developing and finalizing the Platform. After thought, he stated one of the questions he had was if anyone was contacted by Richardson's office, and the Interim City Administrator and Mayor were. He stated he agreed with Councilmember Dietrich that they are in a no-win situation at the moment, and someone is dictating what is being done with the City when the decision has already been made. He commented he is all for Heritage Village Park and for the redevelopment of 117th Street. He does not understand the politics of the situation and finds it a little offensive. Mayor Bartholomew stated he found it offensive as well. He was trying to think of a way to soft land it to keep the Legislative Representatives paying attention to the Council.

Councilmember Murphy asked what would happen if they do not alter the Platform. He asked if the Bonding Bill goes through and includes Heritage Village Park, what kind of financial liability the City is looking at. Interim City Administrator Rand responded if they choose not to add Heritage Village Park, she would reach out to the Legislative Delegation that it is not a priority to the City.

Interim Parks and Recreation Director Jon Oyanagi responded to the question about Heritage Village Park and the Bonding Bill stating the City would have the option to deny acceptance. Some of the Bonding Bills stipulate that it is a straight Grant. Some require a match. It would depend on how it was worded. He thought it could be a straight Grant but has not been successful in contacting the Representative's office to clarify.

Councilmember Gliva stated after Council decided on a Platform on January 19th, she attended an Issues meeting at the Chamber. At that time, the former City Administrator sent out a short blurb about Representative Richardson supporting Heritage Village Park. She stated she asked the City Administrator in another email about it, it did not say who brought the topic to Representative Richardson. Her understanding is that it was more at a County level, and thinks Commissioner Atkins believes, because it is a nice regional asset for the entire Community, that is why they are where they are. She stated she would be in favor of adding something like this to the Platform if they had the County Commission support as well. She believes it was something they can pursue or ask.

Councilmember Piekarski Krech stated they definitely need something in writing that states 117th Street is their priority. She felt blindsided that this was introduced without Council input. She stated Heritage Village Park needs to be County wide/metro wide, it is a bigger thing than Inver Grove Heights. She stated the City could do some of the upkeep, but the funding needs to come from other people if they believe it is such a great idea and want to make sure it is done before the Council is quite ready to do it.

Councilmember Dietrich stated the money still is not in the coffers and is what has been the discussion before. She agrees if they could get some County money this would definitely be a County amenity.

Councilmember Murphy asked if they could ask the County for financial support if this is important outside of Inver Grove Heights. Interim City Administrator Rand responded she was willing, if given direction tonight, to reach out to Commissioner Atkins and ask if that is something he is willing to pursue with the County. She stated she appreciated Councilmember Piekarski Krech making reference of the importance to receive something in writing from the Representative. She was concerned about end of Session and if the City is not very clear about what may happen if they do not receive something in writing understanding that 117th Street is priority. Councilmember Piekarski Krech stated 117th Street goes to the economic viability of the Community and has to be number one.

Councilmember Dietrich stated she would think Representative Richardson knows 117th Street is their priority; she was unsure about the confusion. Councilmember Murphy stated having it in writing that the City's priorities are understood may be a useful document long term.

Mayor Bartholomew asked the Council what their thoughts were. Councilmember Piekarski Krech responded Heritage Village Park would likely have to be added because it is already in the Bill.

Regina Barr, (in person) 5947 Bryant Lane, stated she is speaking against adding it to the Legislative Platform. She is not against the park. She has been very disappointed as someone who follows things that go through the Legislature. She stated the following:

- At the January 19th Council Meeting there was a session to review Legislative priorities.
- On January 25th, the City Council approved the Legislative Priorities. It did not include Heritage Village Park.
- On February 11th, Ms. Rand announced that Heritage Village Park was part of Dakota County's Legislative Platform. Not Inver Grove Heights. Representative Richardson and Senator Kline had authored a Bonding Bill

She stated she asked Ms. Rand several questions that she was unable to answer, including future funding and whether or not Dakota County was interested in acquiring the property and funding the full cost of developing the Regional asset. She stated there were two Councilmembers on the call who seemed surprised when that came up and chose not to respond to her questions either.

She stated she sent emails the same day to both Senator Klein and Representative Richardson. Part of Senator Klein's response was that Joe Atkins heard from City Administrator Joe Lynch that the City was prioritizing other Bonding requirements. Representative Richardson stated in conversation with Joe Atkins that he would be open to pursuing potential Community involvement including ownership or maintenance.

- On March 11th Joe Atkins was in attendance, she asked him her questions, he confirmed Dakota County had included Heritage Village Park in their Legislative Platform. He did not answer questions about ownership and maintenance even though asked.
- On March 18th, Bonding Committee Meeting, Ms. Rand, and Mr. Oyanagi testified regarding Heritage Village Park which was not a part of our Legislative Platform.
- March 22nd, Staff asks that City Council reconsider and add Heritage Village Park to the Platform after the fact. After Staff has already gone around, after Dakota County has gone around the will of this Council elected by residents.

She stated she does not know what is going on here and makes her wonder what else is going on that the City Council does not know about. She would like to know who gave Staff permission to act on behalf of something the City Council already made a decision not to pursue. She stated in the private sector they call this insubordination, and someone would probably be fired or disciplined for something like that.

She requested the Council vote no until they get some answers to those questions. Questions such as if Dakota County is willing to acquire the property and pay for the funding cost. The State will give Bonding but will not give 100%. She would like to see Dakota County step up to the plate. She respectfully requests not to add it at this time until more answers to questions are received. Ms. Barr stated she could submit the questions she has been asking to the City Clerk. She stated she appreciated everyone's comments, the Mayor, and all Councilmembers.

Councilmember Dietrich addressed Interim City Administrator Rand stating this was disturbing to hear about. She was unaware that the Interim City Administrator and the Interim Parks and Recreation Director testified. She asked who approved the Staff time when it was not a priority. Interim City Administrator Rand responded she did not see a need for City Council to approve Staff time. The request was made to her by Representative Richardson's office that an individual from the City show up at the Hearing. She honored the request. She stated she knew the issue was coming to Council for further discussion tonight. She knew they would be following up with Legislation based off direction given by Council. She stated as an Interim City Administrator there is a lot of discretion in terms of what they do and do not do. She said it is very important to be responsive to the Legislative Delegation and does not find it wise to say no to a Legislator when they ask someone to show up.

Councilmember Dietrich stated the problem is the Council is the Interim City Administrator's boss and had already given direction, in that case an explanation was owed as to why she went there with Staff time. It was not an off the cuff decision, it is a big deal. Interim City Administrator Rand responded she does not see where there is insubordination here, she sees where there is conformance to a request from a Legislator to be very polite and

cordial when receiving a request for a Bonding Bill they introduced and put out there. She stated Staff, she, and Mr. Oyanagi, (who did not make a statement, it was just herself that did off of an informational sheet that was provided to the City Council last Wednesday), did not deviate from that or Lobbied any Legislators on this topic or have any conversation with Representative Richardson. She did not go to the Capital; it was a Zoom Meeting. Councilmember Dietrich stated Representative Richardson is not her boss and all in her District are her boss. She was not sure why they were placating to that; it was very disappointing.

Mayor Bartholomew asked the Council whether they should add Heritage Village Park to the Platform or not. He commented he could go either way. Councilmember Gliva asked if there was any way they could get further information from the County before making a decision. She asked if there was time and if this could be tabled. Councilmember Piekarski Krech asked what the pros and cons were of doing/not doing. She stated these Bills have been introduced, in the spirit of cooperation, we are bringing this forward. She stated if Ms. Barr was correct and Mr. Atkins said this was put in through the County, Ms. Richardson introduced the Bill because she deemed it was a County request assuming it was also the City. She asked what the purpose was of approving a Legislative Agenda, what weight it carries.

Interim City Administrator Rand stated she was attempting to get direction from Council that she lacked last week and did not feel comfortable with. She stated that was why they have not lobbied anything to date with Heritage Village Park. If not adding this tonight, there would be requests to continue to advocate for the project and have to say no. There could be requests to show up at the request of the Senator or Representative again. She stated in the future, if not adding this, it sends her a clear message that the Council is not willing to embrace Representative Richardson's thoughts that both Bills would be successful this Session. She commented to her, that is a risk that she did not want to set the Council up for.

Councilmember Murphy asked if there was any information from the Lobbying firm. Interim City Administrator Rand responded Katy Sen from Messerli Kramer is our Lobbyist and felt strongly that if it is not an either/or proposition, it is very unwise to say no to a Legislator that wants to help the Community. She stated Katy works for us, and if tonight given the direction they do not want to pursue this, Staff will follow suit.

Motion by Dietrich second by Gliva to deny the Legislative Platform Resolution approving a Legislative Platform amendment to include Heritage Village Park.

Councilmember Piekarski Krech asked if this could be tabled instead of denying to try to get information from Representative Richardson and Commissioner Atkins. She hates to burn bridges. Councilmember Dietrich stated she would be willing to table if they can receive a black and white answer from the Commissioner. Councilmember Gliva agreed to table. Councilmember Murphy agreed to table.

Motion by Dietrich second by Gliva to table the Resolution approving Legislative Platform amendment to include Heritage Village Park to the next meeting on April 8th.

Ayes: 5

Nays: 0 Motion carried.

7. PUBLIC COMMENT:

There were no public comments.

8. MAYOR AND COUNCIL COMMENTS:

Councilmember Piekarski Krech stated spring is here, the streets crew will be patching soon. Hopefully good bids will be received and get a lot of streets redone.

Councilmember Dietrich thanked everyone in Public Works. She received a lot of good comments on snow plowing. She commended them on a job well done.

Councilmember Murphy congratulated Finance Director Amy Hove and Staff, stating he was standing and applauding from Arizona.

9. EXECUTIVE SESSION:

A. Closed session pursuant to Minnesota Statutes § 13D.05, Subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase of real property interests in the real property located at 6680 Robert Trail South, Inver Grove Heights, MN (Parcel ID No. 20- 00500-51-010).

City Attorney McCauley Nason stated the Council is asked to consider a Motion to move into a closed session Pursuant to Minnesota Statutes § 13D.05, Subd. 3(c)(3) to develop or consider offers or counter offers for the purchase of real property interests in the real property located at 6680 Robert Trail South, Inver Grove Heights, MN (Parcel ID No. 20- 00500-51-010). The Closed meeting will be held in Council Chambers with a separate Zoom number and will commence immediately. Once the closed meeting is completed the Council will reconvene the open meeting portion of tonight's meeting and, there being no further items on the Agenda once back in open session, the Council would adjourn the meeting. She stated she is looking for a Motion, a second, and a majority vote to move into closed session as articulated above.

Motion by Gliva second by Piekarski Krech to move into Executive Session at 9:45 P.M.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech second by Bartholomew to adjourn the Executive Session at 10:17 P.M.

Minutes prepared by Recording Clerk Sheri Yourczek

**Request for Council Action****TITLE: Disbursements**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Consent	Amount included in current budget	X
Contact:	Amy Hove	Budget amendment requested	
Prepared by:	Bill Schroepfer	FTE included in current complement	
Reviewed by:	N/A	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Approve the attached resolution approving disbursements for the period of April 7, 2021 to April, 20, 2021.

SUMMARY:

Shown below is a listing of the disbursements for the various funds for the period ending April, 20, 2021. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$458,761.10
Debt Service & Capital Projects	489,762.75
Enterprise & Internal Service	259,846.35
Escrows	6,577.86
Grand Total for All Funds	<u><u>\$1,214,948.06</u></u>

If you have any questions about any of the disbursements on the list, please call Amy Hove, Finance Director: 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period April 7, 2021 to April, 20, 2021 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING April, 20, 2021**

WHEREAS, a list of disbursements for the period ending April, 20, 2021 was presented to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: that payment of the list of disbursements of the following funds is approved:

General & Special Revenue	\$458,761.10
Debt Service & Capital Projects	489,762.75
Enterprise & Internal Service	259,846.35
Escrows	6,577.86
Grand Total for All Funds	<u><u>\$1,214,948.06</u></u>

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 4/7/2021 - 4/20/2021

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
AFSCME COUNCIL 5	INV0112592	04/09/2021	UNION DUES (AFSCME FULL SHARE	101.203.2031000	787.80
AFSCME COUNCIL 5	INV0112593	04/09/2021	UNION DUES (AFSCME FULL SHARE	101.203.2031000	59.10
ASPEN MILLS	272080	04/16/2021	Clothing/Uniforms	101.42.4000.421.60045	361.79
ASPEN MILLS	272197	04/20/2021	Clothing / Uniforms	101.42.4000.421.60045	857.78
BAYCOM INC	EQUIPINV_027854B	04/07/2021	Antenna, Dock, Shipping/Handling	101.42.4200.423.60065	2,589.00
BLACKTOP PROS, LLC	21-0015	04/13/2021	Street Patching	101.43.5200.443.40046	17,500.00
BLACKTOP PROS, LLC	21-0016	04/13/2021	Street Patching	101.43.5200.443.40046	8,000.00
BONFE'S PLUMBING	04/07/2021	04/13/2021	Refund - Cancelled Job	101.45.0000.3224000	64.00
COMCAST	04/05/2021	04/20/2021	Business Services	101.42.4200.423.30700	10.86
CREW 2	04/07/2021	04/13/2021	Refund - Canceled Partial Job	101.207.2070100	33.00
CULLIGAN	03/31/2021	04/13/2021	Water Services	101.42.4200.423.60065	75.60
CULLIGAN	03/31/2021 #2	04/13/2021	Water Services	101.42.4200.423.60065	69.83
CULLIGAN	03/31/21	04/13/2021	Water Services	101.42.4200.423.60065	174.31
DAKOTA COMMUNICATIONS CENTER	IG2021-05	04/13/2021	May 2021	101.42.4000.421.70502	60,289.20
DAKOTA COMMUNICATIONS CENTER	IG2021-05	04/13/2021	May 2021	101.42.4200.423.70502	4,340.80
DOUGHERTY, MOLEND, SOLFEST, HILLS & BAUER	197076	04/13/2021	Conflict Prosecution - Matter#18519 441	101.41.1100.413.30700	192.00
EFTPS	INV0112618	04/09/2021	FEDERAL WITHHOLDING	101.203.2030200	57,485.70
EFTPS	INV0112620	04/09/2021	MEDICARE WITHHOLDING	101.203.2030500	15,995.04
EFTPS	INV0112621	04/09/2021	SOCIAL SECURITY WITHHOLDING	101.203.2030400	43,708.12
ENTERPRISE FM TRUST	FBN4173187	04/20/2021	Monthly lease charges	101.42.4000.421.70300	9,971.38
FIRST IMPRESSION GROUP, THE	115741	04/20/2021	Police business cards	101.42.4000.421.50030	60.00
FIRSTSCRIBE	254079	04/20/2021	ROWay web application	101.43.5100.442.40044	250.00
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0112600	04/09/2021	HSA ELECTION-FAMILY	101.203.2032500	3,073.13
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0112601	04/09/2021	HSA ELECTION-SINGLE	101.203.2032500	4,729.55
GERTENS	28235/12	04/13/2021	Seeder, Packing Clay, Shipping	101.44.6000.451.60016	187.45
GERTENS	28235/12	04/13/2021	Seeder, Packing Clay, Shipping	101.44.6000.451.60035	805.25
GLS COMPANIES	288869	04/13/2021	Spring 2021 Insight News Letter	101.41.1300.413.50032	6,954.43
HOISINGTON KOEGLER GROUP INC.	020-013-9	04/20/2021	IGH Park system plan assistance	101.44.6000.451.30700	813.75
HOLMES DESIGN, INC.	5287	04/13/2021	P&R Design and Coordination of Marke	101.41.1300.413.30700	1,190.00
HOTSY EQUIPMENT OF MINNESOTA	70672	04/13/2021	Car Wash Bulk Soap	101.42.4200.423.60011	357.93
IAFC MEMBERSHIP	000125533	04/13/2021	Eric Bergum Membership Renewal	101.42.4200.423.50070	240.00
IAFC MEMBERSHIP	000126560	04/13/2021	Membership Renewal	101.42.4200.423.50070	265.00
ICMA RETIREMENT TRUST - 457	INV0112590	04/09/2021	457 - ROTH AGE 50+	101.203.2031400	225.00
ICMA RETIREMENT TRUST - 457	INV0112591	04/09/2021	457 - ROTH AGE 50+	101.203.2031400	225.00
ICMA RETIREMENT TRUST - 457	INV0112602	04/09/2021	ICMA-AGE <49	101.203.2031400	5,135.00
ICMA RETIREMENT TRUST - 457	INV0112603	04/09/2021	ICMA-AGE <49 %	101.203.2031400	7,845.32
ICMA RETIREMENT TRUST - 457	INV0112604	04/09/2021	ICMA-AGE 50+	101.203.2031400	6,100.29
ICMA RETIREMENT TRUST - 457	INV0112605	04/09/2021	ICMA-AGE 50+ %	101.203.2031400	961.29
ICMA RETIREMENT TRUST - 457	INV0112614	04/09/2021	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	3,022.28
ICMA RETIREMENT TRUST - 457	INV0112615	04/09/2021	ROTH IRA (AGE 50 & OVER)	101.203.2032400	450.00
ICMA RETIREMENT TRUST - 457	INV0112616	04/09/2021	ROTH-AGE <49 %	101.203.2032400	216.69
IGH FIRE RELIEF ASSN	04/08/2021	04/13/2021	2021 Supplemental Benefit	101.42.4200.423.20500	4,000.00
IMAGE TREND INC	127873	04/20/2021	Fire bridge & inspections licenses	101.42.4200.423.30700	3,110.00
IUOE	INV0112606	04/09/2021	UNION DUES IUOE	101.203.2031000	1,201.18
LANGUAGE LINE SERVICES	10209629	04/20/2021	Over the phone interpretations	101.42.4000.421.50020	30.64
LAWMAN BADGE COMPANY	5950	04/20/2021	Custom Badges	101.42.4000.421.60045	248.70
LELS	INV0112607	04/09/2021	UNION DUES (LELS)	101.203.2031000	2,030.00
LELS SERGEANTS	INV0112617	04/09/2021	UNION DUES (LELS SGT)	101.203.2031000	381.00
LOCAL GOVERNMENT INFORMATION SYSTEM (LOC 50292		04/20/2021	Entrust Token	101.42.4000.421.70501	15.00
LOCAL GOVERNMENT INFORMATION SYSTEM (LOC 50198		04/13/2021	APPL SUP - FIRE	101.42.4200.423.30700	568.00
LOCAL GOVERNMENT INFORMATION SYSTEM (LOC 60190		04/20/2021	APPL SUP - POLICE	101.42.4000.421.70501	2,194.00
METROPOLITAN COUNCIL	04/09/2021	04/13/2021	March 2021	101.41.0000.3414000	(3,851.75)
MFSCB	8598	04/13/2021	1072 Haz Mat Operations	101.42.4200.423.50080	2,040.00
MINNEAPOLIS OXYGEN CO.	00074094	04/13/2021	Medical Oxygen	101.42.4200.423.30700	134.11
MINNEAPOLIS OXYGEN CO.	00074095	04/13/2021	Medical Oxygen	101.42.4200.423.30700	95.79
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0112595	04/09/2021	CASE #001490481201	101.203.2032100	306.89
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0112596	04/09/2021	CASE #001563363401	101.203.2032100	427.31
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0112597	04/09/2021	CASE #001567848502	101.203.2032100	60.45
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0112598	04/09/2021	CASE #001521862201	101.203.2032100	186.89
MN DEPT OF REVENUE (PAYROLL)	INV0112619	04/09/2021	STATE WITHHOLDING	101.203.2030300	24,519.07
MN GLOVE & SAFETY, INC.	327912	04/20/2021	Clothing / Uniforms	101.43.5100.442.60045	86.98
MN GLOVE & SAFETY, INC.	328725	04/20/2021	Clothing / Uniforms	101.43.5100.442.60045	177.48
NELCOM CORP	30272	04/20/2021	Alverno & Alvarado siren fix + cost of b	101.42.4000.421.40042	1,374.48
NORTHWEST LASERS, INC.	15266	04/20/2021	6 Level Books	101.43.5100.442.60045	55.80
OPTIONS EXTERIORS	04/07/2021	04/13/2021	Duplicate Permit	101.45.0000.3221000	105.00
PERA	INV0112608	04/09/2021	PERA COORDINATED PLAN	101.203.2030600	42,054.20
PERA	INV0112609	04/09/2021	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	3,234.96
PERA	INV0112610	04/09/2021	PERA DEFINED PLAN	101.203.2030600	21.92
PERA	INV0112611	04/09/2021	EMPLOYER SHARE (PERA DEFINED	101.203.2030600	21.92
PERA	INV0112612	04/09/2021	PERA POLICE & FIRE PLAN	101.203.2030600	23,566.79
PERA	INV0112613	04/09/2021	EMPLOYER SHARE (POLICE & FIRE f	101.203.2030600	35,350.08
PRECISE MRM	200-1030220	04/13/2021	Pooled data per MB	101.43.5200.443.30700	380.91

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
PRO-TECH DESIGN INC.	100389	04/13/2021	SSA: 04/2021 - 04/2022 LENEL	101.47.1400.413.40035	3,628.80
RENEE DUBS ELLENA	21-4996B	04/13/2021	IGH Women Leadership Headshots	101.41.1300.413.30700	175.00
RENEE DUBS ELLENA	21-5003	04/13/2021	Envelope Layouts	101.41.1300.413.30700	126.00
RJI PROFESSIONALS	04/07/2021	04/13/2021	Refund - Canceled Partial Job	101.45.0000.3221000	84.00
SAFE-FAST, INC.	INV243805	04/13/2021	Vests	101.43.5200.443.60045	680.25
STREICHER'S	I1494814	04/13/2021	Entry Ram	101.42.4000.421.60065	300.00
STREICHER'S	I1495301	04/20/2021	Big easy kits and carrying case	101.42.4000.421.80700	107.97
STREICHER'S	I1496115	04/20/2021	Big easy kit	101.42.4000.421.60065	37.99
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005558	04/20/2021	COBRA	101.42.4000.421.30550	40.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.41.1100.413.30550	3.92
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.41.1300.413.30550	3.92
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.41.2000.415.30550	6.74
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.42.4000.421.30550	33.32
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.42.4200.423.30550	3.92
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.43.5000.441.30550	1.96
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.43.5100.442.30550	8.81
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.43.5200.443.30550	3.90
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.44.6000.451.30550	5.05
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.45.3000.419.30550	1.76
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	101.45.3300.419.30550	3.92
TEXAS STATE DISBURSEMENT UNIT	INV0112594	04/09/2021	CASE #0012022247	101.203.2032100	401.13
UNIFIRST CORPORATION	0900615067	04/13/2021	Clothing/Uniforms	101.43.5200.443.60045	30.71
UNIFIRST CORPORATION	0900615067	04/13/2021	Clothing/Uniforms	101.44.6000.451.60045	14.24
WI SCTF (WI SUPPORT COLLECTIONS TRUST FUND)	INV0112599	04/09/2021	PARTICIPANT ID#0004986316	101.203.2032100	433.06
WS&D PERMIT SERVICE	04/07/2021	04/13/2021	Refund - Project Cancelled	101.207.2070100	212.40
WSB & ASSOCIATES, INC.	R-014154-000-21	04/20/2021	65th Street and Utility Improvements	101.43.5100.442.30420	689.75
Fund: 101 - GENERAL FUND					416,838.99
ENSEMBLE CREATIVE & MARKETING	IGH032921	04/13/2021	Digital AD Campaigns	201.44.1600.465.50025	1,400.00
LIME VALLEY ADVERTISING, INC.	21076.02	04/20/2021	March wen updates	201.44.1600.465.50025	200.00
ORANGE142, LLC	10273	04/20/2021	In need targeting	201.44.1600.465.50025	1,000.00
ORANGE142, LLC	10274	04/20/2021	In need targeting	201.44.1600.465.50025	975.00
RIVER HEIGHTS CHAMBER OF COMMERCE	10927	04/13/2021	March 2021	201.44.1600.465.30700	6,127.16
RIVER HEIGHTS CHAMBER OF COMMERCE	10928	04/20/2021	April 2021	201.44.1600.465.30700	6,127.16
STACY ANN BROOKS	338	04/13/2021	April Blog Posts	201.44.1600.465.50025	215.00
Fund: 201 - C.V.B. FUND					16,044.32
RENEE DUBS ELLENA	21-5009	04/20/2021	Update original and create new business	204.44.6100.452.50030	20.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	204.44.6100.452.30550	3.21
VANWAMBEKE, DAWN	04/07/2021	04/20/2021	Refund - Kids sports night - low enrollment	204.44.0000.3470000	28.00
Fund: 204 - RECREATION FUND					51.21
AEP ONSITE PARTNERS, LLC	419-21302036	04/13/2021	March 2021	205.44.6200.453.40020	4,431.23
AEP ONSITE PARTNERS, LLC	419-21302036	04/13/2021	March 2021	205.44.6200.453.40020	2,171.76
CHAVEZ, CRISTINA	04/07/2021	04/20/2021	Per Maddy/Disstisfied	205.207.2070300	10.64
CHAVEZ, CRISTINA	04/07/2021	04/20/2021	Per Maddy/Disstisfied	205.44.0000.3492900	149.36
GARTNER REFRIGERATION & MFG, INC	C000147	04/13/2021	Preventative Maintenance Agreement	205.44.6200.453.40040	2,125.00
GARTNER REFRIGERATION & MFG, INC	W12669	04/13/2021	Equipment, labor, travel	205.44.6200.453.40040	3,265.91
HOLMES DESIGN, INC.	5288	04/13/2021	P&R Winter-Spring 2021 Brochure	205.44.6200.453.30700	2,650.00
HUEBSCH SERVICES	20068746	04/13/2021	Mats	205.44.6200.453.40040	268.22
HUEBSCH SERVICES	20068746	04/13/2021	Mats	205.44.6200.453.40040	67.15
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	205.44.6200.453.30550	7.88
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	205.44.6200.453.30550	1.36
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	205.44.6200.453.30550	1.37
Fund: 205 - COMMUNITY CENTER					15,149.88
HOISINGTON KOEGLER GROUP INC.	020-056-4	04/13/2021	IGH S of 55 SAP	290.45.3000.419.30700	10,676.50
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	290.45.3000.419.30550	0.20
Fund: 290 - EDA OPERATING					10,676.70
DAKOTA CTY PROP TAXATION & RECORDS	04/05/2021	04/12/2021	2021 City Property Tax Payments	402.44.6000.451.30700	1,424.00
HOISINGTON KOEGLER GROUP INC.	020-057-4	04/20/2021	IGH NW Area / Peltier park design	402.44.6000.451.30700	7,727.50
Fund: 402 - PARK ACQ. & DEV. FUND					9,151.50
METROPOLITAN COUNCIL	04/09/2021	04/13/2021	March 2021	404.217.2170000	395,115.00
Fund: 404 - SEWER CONNECTION FUND					395,115.00
ACME TOOLS	8613782	04/20/2021	Tools / Equipment	434.42.4200.423.80500	1,368.93
ACME TOOLS	8615690	04/20/2021	Tools / Equipment	434.42.4200.423.80500	2,801.98
TOTAL CONSTRUCTION & EQUIP.	21276	04/20/2021	Install drop cord	434.42.4200.423.80500	1,674.50
Fund: 434 - 2014 IMPROVEMENT FUND					5,845.41
EMMONS & OLIVIER RESOURCES	00095-0068-8	04/20/2021	Schaaf settlement design-land acq	439.73.5900.739.30700	3,143.75
Fund: 439 - 2019 IMPROVEMENT FUND					3,143.75
FINANCE & COMMERCE, INC.	745016441	04/20/2021	Bids/Construction	440.74.5900.740.50025	229.24
FINANCE & COMMERCE, INC.	745021267	04/20/2021	Bids/Construction	440.74.5900.740.50025	301.90
KIMLEY-HORN & ASSOCIATES, INC.	18516194	04/20/2021	CP 2016-09F labor & expenses	440.74.5900.740.30300	4,910.45
KIMLEY-HORN & ASSOCIATES, INC.	18516199	04/20/2021	CP 2020-09D Labor & Expenses	440.74.5900.740.30300	21,296.56
SRF CONSULTING GROUP, INC	14362.00-2	04/13/2021	2021 Local Road Improvement Program	440.74.5900.740.30300	3,810.35
Fund: 440 - PAVEMENT MANAGEMENT PROJ					30,548.50

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
E-IGHWMO	2102	04/20/2021	2021 Member City Contribution	441.74.5900.741.50070	1,617.06
EMMONS & OLIVIER RESOURCES	00095-0066-7	04/20/2021	Online regional basin map development	441.43.0000.3434500	674.00
EMMONS & OLIVIER RESOURCES	00095-0071-1	04/20/2021	NWA regional model updates	441.43.0000.3434500	8,907.00
EMMONS & OLIVIER RESOURCES	00095-0073-2	04/20/2021	IGH 2021 development reviews	441.43.0000.3434500	7,094.50
EMMONS & OLIVIER RESOURCES	00095-0073-2	04/20/2021	IGH 2021 development reviews	441.43.0000.3434500	8,641.00
KIMLEY-HORN & ASSOCIATES, INC.	18516200	04/20/2021	Labor & Expenses	441.74.5900.741.30300	4,070.39
PRAIRIE MOON NURSEY INC.	2108107800	04/13/2021	Plants	441.74.5900.741.40066	299.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	441.74.5900.741.30550	2.93
Fund: 441 - STORM WATER MANAGEMENT					31,305.88
HOISINGTON KOEGLER GROUP INC.	021-002-1	04/20/2021	IGH S valley park DD/CD/DA	444.74.5900.744.30700	687.50
Fund: 444 - PARK CAPITAL REPLACEMENT					687.50
BRAUN INTERTEC CORPORATION	B245835	04/20/2021	IGH 2021 Trunk Utility Extensions	446.74.5900.746.30300	2,670.00
EMMONS & OLIVIER RESOURCES	00095-0070-2	04/20/2021	IGH development reviews	446.74.5900.746.30300	298.00
EMMONS & OLIVIER RESOURCES	00095-0070-2	04/20/2021	IGH development reviews	446.74.5900.746.30300	1,548.00
FINANCE & COMMERCE, INC.	745009954	04/20/2021	Bids/Construction	446.74.5900.746.50025	159.10
WIECH, CHAD R.	03/23/2021	04/20/2021	Commissioner's Hearing and Mileage	446.74.5900.746.30300	425.20
WSB & ASSOCIATES, INC.	R-014154-000-23	04/20/2021	65th Street and Utility improvements	446.74.5900.746.30300	397.50
Fund: 446 - NW AREA					5,497.80
DAKOTA CTY PROP TAXATION & RECORDS	04/05/2021	04/12/2021	2021 City Property Tax Payments	448.74.5900.748.30700	238.00
KIMLEY-HORN & ASSOCIATES, INC.	18516184	04/20/2021	CP 2020-12 labor & expenses	448.74.5900.748.30300	919.55
Fund: 448 - NWA - STORM WATER					1,157.55
HOISINGTON KOEGLER GROUP INC.	020-041-6	04/13/2021	IGH NW Area SAP	451.45.3000.419.30700	4,438.50
LIBERTY TIRE RECYCLING, LLC	2008219	04/13/2021	Tire/Rim Recycling & Fee	451.45.3000.419.40025	566.20
WEST ST. PAUL, CITY OF	2020-00000233C	04/07/2021	3rd QTR Volunteer Coordinator	451.75.5900.751.10100	90.00
Fund: 451 - HOST COMMUNITY FUND					5,094.70
KIMLEY-HORN & ASSOCIATES, INC.	18304176	04/13/2021	Labor & Expenses	470.44.5900.770.30300	1,940.58
Fund: 470 - 2020 IMPROVEMENT FUND					1,940.58
MACQUEEN EMERGENCY GROUP	P00309	04/20/2021	Elkhart brass	471.42.4200.423.30710	274.58
Fund: 471 - 2021 IMPROVEMENT FUND					274.58
ADVANCED SPORTSWEAR, INC.	401	04/13/2021	Clothing/Uniforms	501.50.7100.512.60045	119.00
ADVANCED SPORTSWEAR, INC.	709	04/20/2021	Shirts	501.50.7100.512.60045	462.75
BLACKTOP PROS, LLC	21-5411	04/20/2021	Patch, saw, prep, pay	501.50.7100.512.40046	1,800.00
BLACKTOP PROS, LLC	21-5412	04/20/2021	Saw/prep/patch	501.50.7100.512.40046	2,200.00
BLACKTOP PROS, LLC	21-5413	04/20/2021	Water cap cover	501.50.7100.512.40046	1,600.00
CITY OF BLOOMINGTON	2100059	04/13/2021	Bacterial Lab Samples	501.50.7100.512.60019	420.00
CORE & MAIN LP	N904470	04/13/2021	Meters	501.50.7100.512.75500	3,080.48
CORE & MAIN LP	N940603	04/13/2021	Meters	501.50.7100.512.40043	1,461.40
CORE & MAIN LP	N905404	04/20/2021	Curb box lid	501.50.7100.512.40043	102.50
GOPHER STATE ONE-CALL	1030484	04/20/2021	Tickets	501.50.7100.512.30700	334.80
GRAINGER	9859736739	04/20/2021	Gate valve class 125	501.50.7100.512.40043	298.53
HAWKINS, INC.	4917684	04/20/2021	Chlorine	501.50.7100.512.60019	772.00
KLM ENGINEERING INC	8211	04/13/2021	MN 5 Tank Evaluation	501.50.7100.512.40040	12,500.00
LONE OAK COMPANIES	86827	04/13/2021	Process Statements	501.50.7100.512.30700	272.00
LONE OAK COMPANIES	86827	04/13/2021	Process Statements	501.50.7100.512.50035	(14.45)
RENEE DUBS ELLENA	21-5009	04/20/2021	Update original and create new busines	501.50.7100.512.50030	20.00
SHAPCO PRINTING	258069	04/20/2021	Pressure backflow preventer annual tes	501.50.7100.512.50030	217.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	501.50.7100.512.30550	6.06
TODD DOUGLAS EDINGER - RMR SERVICES LLC	2021093	04/20/2021	February 2021 Manual meter readings	501.50.7100.512.30700	1,531.36
TODD DOUGLAS EDINGER - RMR SERVICES LLC	2021094	04/20/2021	March 2021 Manual meter readings	501.50.7100.512.30700	1,560.60
TODD DOUGLAS EDINGER - RMR SERVICES LLC	2021095	04/20/2021	April 2021 Manual meter readings	501.50.7100.512.30700	1,835.32
VALLEY-RICH CO, INC	29313	04/13/2021	Excavator, Breaker, Tractor	501.50.7100.512.40046	9,536.09
VALLEY-RICH CO, INC	29305	04/13/2021	Machine Delivery, Yard Excavator, Labr	501.50.7100.512.40046	3,830.26
Fund: 501 - WATER UTILITY FUND					43,945.70
LONE OAK COMPANIES	86827	04/13/2021	Process Statements	502.51.7200.514.30700	272.00
LONE OAK COMPANIES	86827	04/13/2021	Process Statements	502.51.7200.514.50035	(14.45)
METROPOLITAN COUNCIL	0001122254	04/20/2021	Waste water services def rev	502.51.7200.514.40015	162,719.73
MPCA	04/14/2021 Gerald Swanson	04/20/2021	Class SD test	502.51.7200.514.50080	45.00
MPCA	04/14/2021 Matthew Johnson	04/20/2021	Class SB test	502.51.7200.514.50080	45.00
MPCA	04/14/2021 Ryan Boris	04/20/2021	Class 5D test	502.51.7200.514.50080	45.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	502.51.7200.514.30550	3.72
Fund: 502 - SEWER UTILITY FUND					163,116.00
ARTISAN BEER COMPANY	3466953	04/13/2021	Beer	503.52.8300.524.76150	855.20
BREAKTHRU BEVERAGE MINNESOTA	339056550	04/20/2021	Beer	503.52.8300.524.76150	486.30
COCA COLA BOTTLING COMPANY	3607210479	04/13/2021	Beverages	503.52.8300.524.76100	1,809.53
COLLEGE CITY BEVERAGE	685155	04/13/2021	Beer	503.52.8300.524.76150	197.00
DANIELSON, CHARLENE	04/07/2021	04/13/2021	Anniversary Membership Refund	503.207.2070300	20.68
DANIELSON, CHARLENE	04/07/2021	04/13/2021	Anniversary Membership Refund	503.52.0000.3483900	290.32
DANIELSON, CHARLENE	04/07/2021	04/13/2021	Anniversary Membership Refund	503.52.0000.3483950	37.00
DRAFT TECHNOLOGIES	04052103	04/13/2021	Beer line cleaning	503.52.8300.524.40042	55.00
HEGGIES PIZZA	1000833018	04/20/2021	Pizzas	503.52.8300.524.76050	221.40
JESSE SMITH	04/12/2021	04/13/2021	Refund for anniversary membership - r	503.207.2070300	20.68
JESSE SMITH	04/12/2021	04/13/2021	Refund for anniversary membership - r	503.52.0000.3483900	290.32
JESSE SMITH	04/12/2021	04/13/2021	Refund for anniversary membership - r	503.52.0000.3483950	37.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
JJ TAYLOR DIST. COMPANY OF MN	3180542	04/20/2021	Alcohol	503.52.8300.524.76150	575.00
M. AMUNDSON LLP	318888	04/13/2021	Candy	503.52.8300.524.76050	254.22
MANSFIELD OIL COMPANY	22310870	04/20/2021	Fuel	503.52.8400.525.60021	1,308.24
MTI DISTRIBUTING CO	1293348	04/13/2021	Nozzle and Key Ignition	503.52.8600.527.40042	243.92
NAPA OF INVER GROVE HEIGHTS	247317	04/13/2021	Battery	503.52.8600.527.40042	100.07
SITEONE LANDSCAPE SUPPLY, LLC	107439080-001	04/13/2021	Lesco HPS Chariot Spreader	503.52.8600.527.60040	4,662.50
SOUTH BAY DESIGN	040121	04/13/2021	April 2021	503.52.8500.526.50025	525.00
SUPERIOR TURF SERVICES INC	625	04/13/2021	Acelepryn & Anuvia 50# bag	503.52.8600.527.60030	5,029.74
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	503.52.8600.527.30550	1.95
US FOODSERVICE	4231545	04/13/2021	Food	503.52.8300.524.76050	693.47
US FOODSERVICE	4366090	04/20/2021	Food	503.52.8300.524.60065	270.88
US FOODSERVICE	4366090	04/20/2021	Food	503.52.8300.524.76050	444.81
Fund: 503 - INVER WOOD GOLF COURSE					18,430.23
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	602.00.2100.415.30550	0.10
Fund: 602 - RISK MANAGEMENT					0.10
ALLSTATE PETERBILT OF SOUTH ST. PAUL	3004391229	04/13/2021	Valve and Pipes	603.00.5300.444.40041	84.71
ARROW MOWER, INC.	69369	04/13/2021	Air Filters	603.00.5300.444.40041	12.30
CUSTOM FIRE APPARATUS INC	0020330-IN	04/13/2021	Rocker, Light, Flange	603.00.5300.444.40041	120.31
DAVIS EQUIPMENT CORPORATION	EI13447	04/13/2021	Bolts	603.00.5300.444.40041	333.16
EMERGENCY APPARATUS MAINTENANCE	116541	04/13/2021	Rocker V-Series SPST	603.00.5300.444.40041	298.77
EMERGENCY AUTOMOTIVE TECHNOLOGIES	DL033021-21	04/13/2021	Control Center AMP Switches	603.00.5300.444.40041	100.92
FLEETPRIDE	70705514	04/13/2021	Spring Brake Chambers	603.00.5300.444.40041	308.44
INVER GROVE FORD	5298162	04/13/2021	CAP ASY - FUEL TANK	603.00.5300.444.40041	14.38
INVER GROVE FORD	5298253	04/13/2021	Part Interchanges	603.00.5300.444.40041	71.93
INVER GROVE FORD	5298295	04/13/2021	SENSOR ASY	603.00.5300.444.40041	61.26
JIM DONSKEY CORPORATION	13852103161333	04/13/2021	Batteries	603.00.5300.444.40041	412.62
KIMBALL MIDWEST	8668987	04/13/2021	Brass Fit	603.00.5300.444.60012	313.20
MACQUEEN EMERGENCY GROUP	P04923	04/13/2021	Compressor & Freight	603.00.5300.444.40041	1,407.67
MANSFIELD OIL COMPANY	22280170	04/13/2021	Fuel	603.140.1450060	5,107.92
MID CITY SERVICES, INC.	148980	04/13/2021	Dust Mats	603.00.5300.444.40065	71.00
MN DEPT OF REVENUE	04/23/2021	04/13/2021	March 2021 Petro Tax	603.00.5300.444.60021	314.64
MTI DISTRIBUTING CO	1293443-00	04/13/2021	Blades	603.00.5300.444.40041	745.31
NORTH AMERICAN TRAILER SALES	030004172651	04/13/2021	Valve Check	603.00.5300.444.40041	27.25
NORTH AMERICAN TRAILER SALES	030004172688	04/13/2021	Drain valve, Bushing pipe, Head plug	603.00.5300.444.40041	37.67
NORTH AMERICAN TRAILER SALES	030004172731	04/13/2021	Electric Brakes	603.00.5300.444.40041	206.40
NORTH AMERICAN TRAILER SALES	030004172735	04/13/2021	Electric Brake & Drum Kit	603.00.5300.444.40041	557.52
NUSS TRUCK AND EQUIPMENT	4663226P	04/13/2021	Alternator	603.00.5300.444.40041	286.14
O' REILLY AUTO PARTS	1767-136842	04/13/2021	Locking Pin	603.00.5300.444.60012	9.56
O' REILLY AUTO PARTS	1767-104778 2021	04/13/2021	Dual VLV Ext	603.00.5300.444.40041	25.65
POMP'S TIRE SERVICE, INC.	980078352	04/13/2021	Tire Services	603.00.5300.444.60014	9.00
POMP'S TIRE SERVICE, INC.	980078426	04/13/2021	Tire Services	603.00.5300.444.60014	380.00
POMP'S TIRE SERVICE, INC.	980078488	04/13/2021	Tires	603.00.5300.444.60014	418.20
POMP'S TIRE SERVICE, INC.	980078373	04/13/2021	Tire Services	603.00.5300.444.60014	390.00
SEMA EQUIPMENT INC.	1498646	04/13/2021	Locks & Freight	603.00.5300.444.40041	192.58
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	603.00.5300.444.30550	1.95
UNIFIRST CORPORATION	0900615067	04/13/2021	Clothing/Uniforms	603.00.5300.444.40065	105.75
UNIFIRST CORPORATION	0900615067	04/13/2021	Clothing/Uniforms	603.00.5300.444.60045	21.14
WORLD FUEL SERVICES	224869685890-41801	04/13/2021	Fuel	603.140.1450050	120.45
Fund: 603 - CENTRAL EQUIPMENT					12,567.80
GREATAMERICA FINANCIAL SERVICES CORPORATI	29101758	04/13/2021	Printer & Copiers	604.00.2200.416.40050	1,816.28
Fund: 604 - CENTRAL STORES					1,816.28
AEP ONSITE PARTNERS, LLC	419-21302036	04/13/2021	March 2021	605.00.7500.460.40020	2,474.78
HUEBSCH SERVICES	20066022	04/13/2021	Mats	605.00.7500.460.40065	163.53
HUEBSCH SERVICES	20068745	04/13/2021	Mats	605.00.7500.460.40065	163.53
JOHNSON CONTROLS	1-100004966372	04/13/2021	Regular Controls	605.00.7500.460.40040	3,776.00
MAS COMMUNICATIONS	210300050101	04/13/2021	Monitor emergency elevator phone	605.00.7500.460.40040	50.61
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	605.00.7500.460.30550	1.67
TOTAL CONSTRUCTION & EQUIP.	30090	04/13/2021	Move Furniture, Patch Walls & Paint	605.00.7500.460.40040	5,400.92
Fund: 605 - CITY FACILITIES					12,031.04
CDW GOVERNMENT INC	B470845	04/13/2021	CradlePoint 3yr NetCloud Essentials	606.00.1400.413.80610	2,071.20
COMMERCIAL INFRASTRUCTURE CABLING, Inc.	I10043	04/20/2021	Install 2 cameras and cabling @ police	606.00.1400.413.80610	832.86
COMMERCIAL INFRASTRUCTURE CABLING, Inc.	I10056	04/20/2021	Install 21 category, 6 drops and 4 came	606.00.1400.413.80610	3,778.49
COMMERCIAL INFRASTRUCTURE CABLING, Inc.	I10058	04/20/2021	Locate & albel data drops. Install patch	606.00.1400.413.80610	1,250.77
TASC GENESIS EMPLOYEE BENEFITS, INC	IN2005959	04/19/2021	Payroll	606.00.1400.413.30550	5.88
Fund: 606 - TECHNOLOGY FUND					7,939.20

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
BOLTON & MENK, INC.	0266783	04/20/2021	IGH Settler's Ridge	702.229.2284803	735.00
DAKOTA CTY ATTORNEY	04/15/2021	04/20/2021	Case #18-1389	702.229.2291000	1,020.00
EMMONS & OLIVIER RESOURCES	00095-0072-2	04/20/2021	IGH construction observation	702.229.2282100	154.50
EMMONS & OLIVIER RESOURCES	00095-0072-2	04/20/2021	IGH construction observation	702.229.2284803	358.11
EMMONS & OLIVIER RESOURCES	00095-0070-2	04/20/2021	IGH development reviews	702.229.2285603	161.25
EMMONS & OLIVIER RESOURCES	00095-0073-2	04/20/2021	IGH 2021 development reviews	702.229.2296703	967.50
HOLLAR, LARRY	04/05/2021	04/13/2021	Escrow Release	702.229.2293303	1,500.00
JNA HOLDINGS OFMINNESOTA, LLC.	04/19/2021	04/20/2021	Return escrow balance	702.229.2292103	591.50
NORTHERN SERVICE CENTER	21-001236	04/20/2021	Bail Tiffany Garcia - Kloos	702.229.2291000	200.00
NORTHERN SERVICE CENTER	04/17/2021	04/20/2021	Michelle K. Hawe Bail	702.229.2291000	50.00
SOUTH EAST TOWING, Inc.	226404	04/13/2021	Towing	702.229.2291000	500.00
STATE TREASURER'S OFFICE	04/15/2021	04/20/2021	Case #18-1389	702.229.2291000	340.00
Fund: 702 - ESCROW FUND					6,577.86
Grand Total					1,214,948.06

**Request for Council Action****Personnel Actions**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Consent Agenda	Amount included in current budget	
Contact:		Budget amendment requested	
Prepared by:	Cora Bauer, HR Coord.	FTE included in current complement	
Reviewed by:	Janet Shefchik, HR Manager	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Staff requests that Council confirm and approve the personnel actions listed below.

Seasonal/Temporary Employment:

Ana Maria New, Fitness Instructor
Ashley Arenda, Golf Course Food and Beverage Concessionaire
Ashley Ries, Golf Course Outside Services
Braden Evanson, Golf Course Outside Services
Brandon Blank, Park Maintenance Helper
Brynna Feyereisen, Golf Course Outside Services
Catherine Eckstrom, Golf Course Food and Beverage Concessionaire
Catherine Kersten, Golf Course Food and Beverage Concessionaire
Elizabeth Wohl, Golf Course Food and Beverage Concessionaire
Henry Martin, Golf Course Outside Services
Jacob Goldade, Golf Course Laborer
Joseph Schommer, Park Maintenance Helper
Josh Fortin, GIS Intern
Joyce Wilmes, Golf Course Food and Beverage Concessionaire
Judd Felon, Golf Course Laborer
Kip Knippel, Golf Course Laborer
Lauren Smithberg, Golf Course Food and Beverage Concessionaire
Max Henseler, Golf Course Laborer
Sam Polivick, Fitness Instructor
Stephanie Jensen, Golf Course Food and Beverage Concessionaire
Taylor Bergum, Golf Course Food and Beverage Concessionaire
Uriel Cuate, Park Maintenance Helper
Zack Ryan, Pool Attendant

Voluntary Resignations, Retirements and/or Terminations:

Triina Barr, Assistant to Chief Building Official

**Request for Council Action****TITLE:** Resolution Authorizing Fix of Scrivener's Errors in Ordinance No. 1405

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	x
Item Type:	Consent-Planning	Amount included in current budget	
Contact:	Allan Hunting, City Planner	Budget amendment requested	
Prepared by:	Bridget Nason, City Attorney	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

On March 8, 2021, the City Council approved several land use application from M/I Homes related to the redevelopment of the former South Grove school site, including an application to rezone the property from P-Institutional to R-1C/PUD and R-3B PUD. The Council adopted Ordinance No. 1405, which after adoption but before publication was found to contain two typographical/scrivener's errors. The attached resolution fixes those two errors and authorizes the execution and publication of Ordinance 1405 with the correction of those two errors.

SUMMARY:

Consider approval of resolution authorizing the fix of typographical/scrivener's errors in Ordinance 1405.

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY MINNESOTA
RESOLUTION NO. _____**

**A RESOLUTION AUTHORIZING FIX OF SCRIVENER'S ERRORS IN ORDINANCE
NO. 1405**

WHEREAS, M/I Homes (Applicant) submitted an application for several land use approvals, including applications for a Comprehensive Plan Amendment from Public/Institutional to Medium Density Residential (MDR) and Rezoning from P-Institutional to R-1C/PUD and R-3B/PUD for the former South Grove School Property (Property); and

WHEREAS, notice of a Public Hearing on the Comprehensive Plan Amendment and Rezoning Applications, including the rezoning from P-Public to R-1C/PUD and R-3B/PUD was published in the Pioneer Press on January 31, 2021; and

WHEREAS, the Planning Commission held a public hearing on February 16, 2021 regarding the Comprehensive Plan and Rezoning Applications, after which the Planning Commission recommended approval of the same on a vote of 9 to 0; and

WHEREAS, at its regularly scheduled council meeting on March 8, 2021, the Inver Grove Heights City Council considered the Land Use Applications, including the Comprehensive Plan and Rezoning Applications and after presentation by staff and discussion of the same, voted 5-0 to approve the applications as presented; and

WHEREAS, as part of its approval of the Applications, the Council adopted Ordinance No. 1405, which was subsequently found to contain typographical errors, namely listing the approved rezoning of the Property as R-3C/PUD instead of R-3B/PUD, and failing to clarify which portion of the Property was to be rezoned to R-1C/PUD and which portion was to be rezoned R-3B/PUD ; and

WHEREAS, at all times, the Applicant has sought rezoning of the Property from P-Institutional to R-1C/PUD and R-3B/PUD, and all materials related to the Applications, public hearing notices, and staff presentations have reflected this request; and

WHEREAS, the application materials clearly showed which portion of the Property was intended to be rezoned R-1C/PUD and which portion of the Property was intended to be rezoned R-3B/PUD; and

WHEREAS, as reflected in the Minutes of the March 8, 2021 Council Meeting, the Council was asked to consider the Applications as presenting, including rezoning the Property from P-Institutional to R-1C/PUD and R-3B/PUD; and

WHEREAS, Section 1-2-5 of the City Code provides that manifest errors in grammar, spelling, and punctuation may be corrected and like actions performed administratively, provided the correction does not alter the meaning of the ordinances enacted; and

WHEREAS, in order to effectuate the intent of the Council to approve the Applications as presented, in particular with respect to the rezoning of the Property to R-1C/PUD and R-3B/PUD and identifying which portion of the Property is to be rezoned to R-1C/PUD and R-3B/PUD, the Council hereby approves revising the language in Ordinance No. 1405 to reflect the action actually taken by Council, which was approval of the application to rezone the Property from P-Institutional to R-1C/PUD and R-3B/PUD and approval of the rezoning as shown on the application.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Inver Grove Heights, Minnesota as follows:

1. Ordinance No. 1405 shall be amended as shown in the attached **Exhibit A** to reflect that the approved rezoning of the real property identified therein has been rezoned to R-1C/PUD and R-3B/PUD and to clearly delineate which portion of the Property is rezoned to R-1C/PUD and which portion of the Property is rezoned to R-3B/PUD, and shall be executed as amended.
2. Ordinance No. 1405 has not previously been published, and the City Clerk is directed to publish Ordinance No. 1405 with the correction of the scrivener's errors identified herein.

This resolution is passed and adopted by the City Council of the City of Inver Grove Heights, Dakota County, Minnesota this 26th of April, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____

Thomas Bartholomew

Its: Mayor

Attested:

By: _____

Rebecca Kiernan

Its: City Clerk

EXHIBIT A
CORRECTED ORDINANCE NO. 1405

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 1405

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE INVER
GROVE HEIGHTS CITY CODE**

CASE NO. 21-06PUD

(M/I Homes)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, “AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described property located within the City of Inver Grove Heights from P, Institutional District to R-1C/PUD, Single Family Planned Unit Development District and R-3B/PUD, Multiple Family Residential Planned Unit Development District to wit:

The West ten (10) acres of the North one-half (N 1/2) of the South Two-Thirds (S 2/3) of the North one-half (N 1/2) of the Southeast one-quarter (SE 1/4), Section Ten (10), Township Twenty-seven (27), Range Twenty- two (22), Inver Grove Township, Dakota County, Minnesota.

The portion of the Property shown on the Preliminary Plat and PUD as being located north of the newly-extended street labeled “76th Lane East” and “Private Street B” shall be rezoned to R-3B/PUD and the portion of the Property shown on the Preliminary Plat and PUD as being located south of the same shall be rezoned to R-1C/PUD.

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled “Inver Grove Heights Zoning Map, June 24, 2002”, together with all amendments thereto, hereinafter referred to as the “zoning map”, shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk’s Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this 8th day of March, 2021.

Ayes:
Nays:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

**Request for Council Action**

TITLE: Consider motion to Authorize City Attorney Execution of Tolling Agreement Regarding Threatened Inverse Condemnation and Flooding Claims re PID## 20-00500-31-010 and 20-00500-32-010

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Consent	Amount included in current budget	
Contact:		Budget amendment requested	
Prepared by:	Peter Mikhail	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Consider motion to Authorize City Attorney Execution of Tolling Agreement Regarding Threatened Inverse Condemnation and Flooding Claims re PID## 20-00500-31-010 and 20-00500-32-010.

SUMMARY:

The City condemned easements from property owned by Bill and Cynthia Nichols for the project to construct roadway and drainage improvements for the new intersection at Trunk Highway 3 and 65th Street. During the course of the project, a major storm event occurred on or about September 20, 2018, that caused significant flooding and alleged damage to the Nichols' property. In addition, the City has designated the same area as a regional basin and has offered to acquire an easement for that purpose.

The City and Nichols settled the condemnation claims and reserved the claims relating to flooding. The Nichols, through counsel, have threatened to commence a lawsuit against the City. The Governor's pandemic emergency orders suspended all relevant statutes of limitations (i.e., deadlines to start lawsuits) through April 15, 2021. In order to continue negotiations and seek a non-litigation resolution, counsel have agreed to extend the tolling period through the end of August, 2021. The City Attorney's office seeks approval of and authority to execute the attached tolling agreement.

TOLLING AGREEMENT

This Agreement is made and entered into by and between William P. Nichols and Cynthia Nichols, husband and wife, through their legal counsel (hereinafter “Landowner”), and the City of Inver Grove Heights, through its legal counsel (hereinafter the “City”). Landowner and the City are hereinafter collectively referred to as the “Parties”).

WHEREAS, as part of a public improvement project, the City obtained easements over property owned by Landowner; and

WHEREAS, during the project, a major storm event occurred on or about September 20, 2018, that caused significant flooding and alleged damage to the Landowner’s property; and

WHEREAS, the Landowner threatened an inverse condemnation action against the City and the City has offered to acquire additional property for a regional basin; and

WHEREAS, the Parties have been attempting to negotiate a resolution to the Landowner’s claims arising from the flooding, but have not reached an agreement to date; and

WHEREAS, if an issue may arise as to applicable statute of limitations, the Parties wish to enter into this Agreement to toll any applicable statute of limitations pending negotiations.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Recitals. The above recitals are incorporated herein and deemed a part of the terms and conditions of this Agreement.
2. TOLLING OF LIMITATIONS. Any applicable statutes of limitations are hereby tolled from April 15, 2021, through August 31, 2021 (hereinafter the “Tolling Period”).
3. CONTINUING NEGOTIATIONS. The Parties agree to work in good faith to seek an amicable resolution during the Tolling Period for the acquisition of the regional basin and resolution of all claims arising from the flooding.
4. RESUMPTION OF RUNNING OF STATUTE OF LIMITATIONS. Upon expiration or termination of this Agreement (including extensions thereof, if any), any applicable statutes of limitation shall resume running, and the time during which this Agreement was in effect shall not be counted in determining whether the applicable limitations period has expired.
5. TERM OF AGREEMENT. This Agreement shall expire without further action of either Party on August 31, 2021 (the “Expiration Date”).

6. BINDING ON SUCCESSORS AND ASSIGNS. This Agreement shall inure to the benefit of and be binding upon the Parties and their successors or assigns.
7. NO ADMISSION OF LIABILITY. This Agreement is not an admission of liability fault or wrongdoing of any kind on the part of any Party. This Agreement shall not be construed as a representation by either Party that the other Party has a legal claim against it. The sole purpose of this Agreement is to preserve the status quo with respect to the applicable statute of limitations.
8. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement of the Parties, and there are no representations, warranties, covenants, or obligations except as set forth in this Agreement. This Agreement is the only agreement of the Parties regarding the subject matter contained herein; the Parties do not rely on any representations of the other Parties in entering into this Agreement; no detrimental reliance exists on any representation made by any Party in the negotiation of this Agreement; and this Agreement supersedes any other agreements or negotiations regarding the subject matter contained herein.
9. AGREEMENT MAY BE EXECUTED IN COUNTERPARTS. The Parties agree that this Agreement may be executed in counterparts and that facsimile signatures may represent the final and binding acceptance of the terms and conditions herein.
10. AUTHORITY OF COUNSEL. The attorneys signing below represent that they are fully authorized to execute this Agreement on behalf of their respective clients, and expressly acknowledge that the other Party is relying on their represented authority to enter into this Agreement.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by their respective duly authorized attorneys, to be effective as set forth above.

DOUGHERTY, MOLEND, SOLFEST,
HILLS & BAUER P.A.

By: _____
Robert B. Bauer, I.D. #227365
14985 Glazier Avenue, Suite 525
Apple Valley, MN 55124
(952) 953-8848
rbauer@dmslb.com
**Attorneys for William P. Nichols
and Cynthia Nichols**

LEVANDER, GILLEN & MILLER, P.A.

By: _____
Peter G. Mikhail, I.D. #249907
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831
pmikhail@levander.com
Attorneys for City of Inver Grove Heights

**Request for Council Action****Consider Resolution Receiving Feasibility Report, Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2021-08 - Southern Trunk Watermain Improvements**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Consent	Amount included in current budget	
Contact:	Jake Moser, 651-450-2489	Budget amendment requested	
Prepared by:	Jake Moser, Civil Engineer	FTE included in current complement	
Reviewed by:	Thomas J. Kaldunski, City Engineer	New FTE requested - N/A	
	Klay Eckles, Interim Public Works Director	Other: Private Escrow Funded	X

PURPOSE/ACTION REQUESTED

Consider Resolution Receiving Feasibility Report, Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2021-08 - Southern Trunk Watermain Improvements.

SUMMARY

On March 8, 2021, the City Council ordered a feasibility study and accepted an engineering services proposal from Bolton & Menk, Inc. for City Project No. 2021-08 Southern Trunk Watermain Improvements (Phase 1). The feasibility report was authorized to review the extension of trunk watermain from 117th Street to Rich Valley Boulevard on an alignment west of Pine Bend Landfill to extend public water supply to support development proposals from Fortistar Renewable Natural Gas (RNG) and Bituminous Roadways industrial properties. The feasibility report is on file in the Engineering division, and available upon request.

The feasibility report recommends a City led project to complete the 12-inch public watermain from the Fortistar project, west to Rich Valley Boulevard. The remaining portion of the public watermain: west of landfill to 117th Street, will be privately constructed by the Fortistar Project through an improvement agreement approved by Council on April 12th.

The watermain improvements described in this report are being installed at the request of Bituminous Roadways. As such, Bituminous Roadways will be responsible for 100% of the project costs. The total project cost is estimated at \$164,484. Funding will be through an escrow provided by Bituminous Roadways in the amount of 125% of the total project cost. A private cost share agreement will be prepared by the City Attorney. The City will lead the public watermain project and administer the escrow funds and process payment. Any unused funds from the escrow will be refunded to Bituminous Roadways at the conclusion of the project.

Staff recommends Council approve the resolution receiving feasibility report, ordering project and authorizing preparation of plans and specifications for City Project No. 2021-08 - Southern Trunk Watermain Improvements.

JM

Attachment(s): Resolution
Project Map

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

**CONSIDER RESOLUTION RECEIVING FEASIBILITY REPORT, ORDERING PROJECT AND
AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR CITY PROJECT NO. 2021-08 -
SOUTHERN TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, On March 8, 2021, the City Council ordered a feasibility study and accepted an engineering services proposal from Bolton & Menk, Inc. for City Project No. 2021-08 Southern Trunk Watermain Improvements (Phase 1); and

WHEREAS, a feasibility report has been prepared by Bolton & Menk, Inc. for the Public Works Director with reference to City Project No. 2021-08 Southern Trunk Watermain Improvements; and

WHEREAS, the feasibility report identifies the project funding to be through cost-participation agreement with Bituminous Roadways responsible for all project costs.

NOW, THEREFORE, BE IT RESOLVED, THAT:

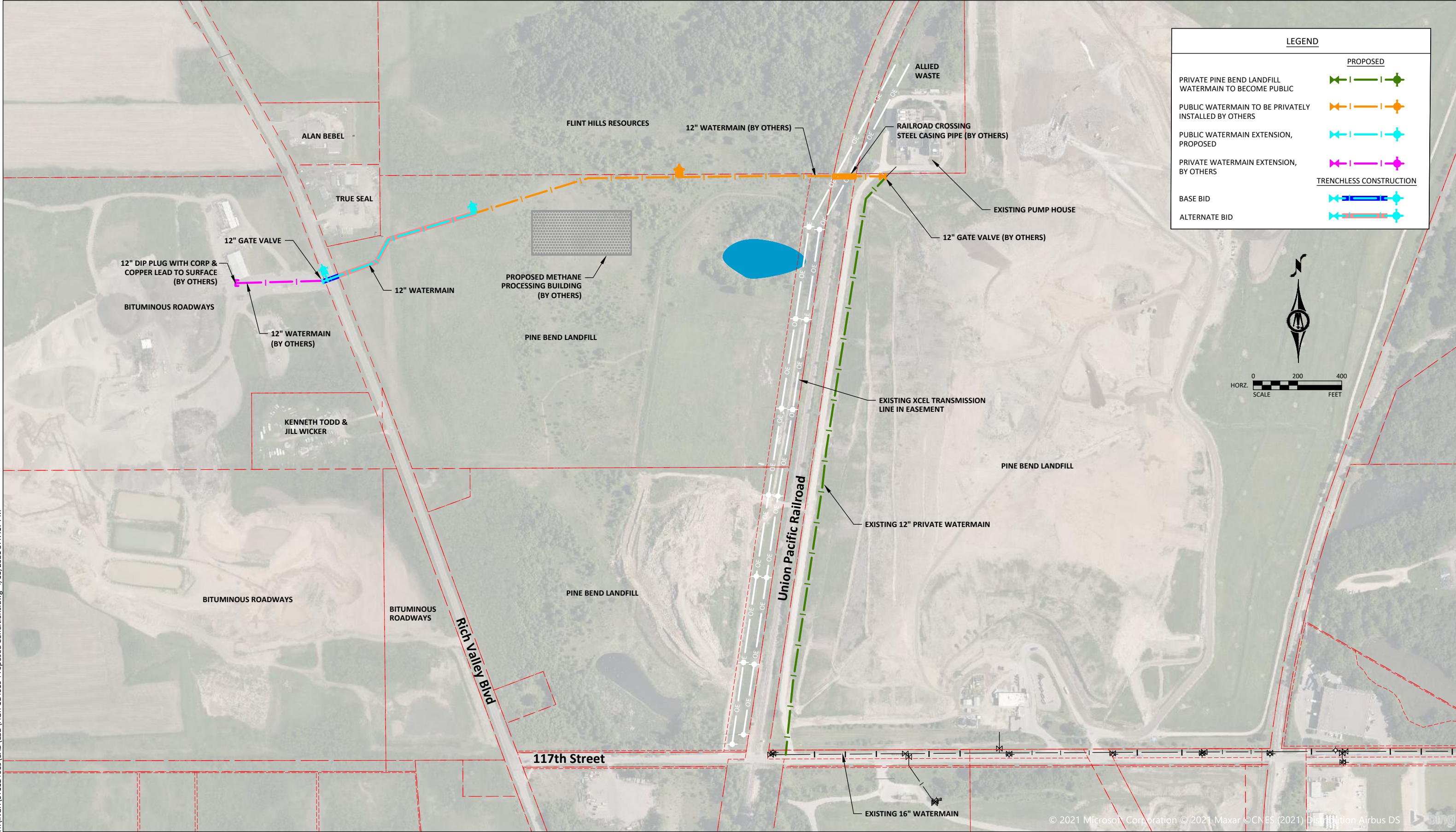
1. Said report is hereby received by the City Council of the City of Inver Grove Heights on April 26, 2021.
2. Pursuant to Minn. Stat. Sec. 462.356, subd. 2, the Council, by a 4/5th vote, hereby determines that the Project does not impact and has no relationship to the City's comprehensive municipal plan and waives the requirements of Minn. Stat. Sec. 462.356, subd. 2, related to Planning Commission review of the Project.
3. Funding is through cost participation agreement with private escrow account funded by Bituminous Roadways.
4. City Project No. 2021-08 - Southern Trunk Watermain Improvements is hereby ordered.
5. The City Attorney and staff are authorized to prepare an agreement for cost participation from Bituminous Roadways for City Project No. 2021-08 Southern Trunk Watermain Improvements.
6. Project contract documents (plans and specifications) are authorized to be prepared by Staff and Bolton & Menk Inc.
7. Staff and Bolton & Menk Inc. are authorized to request contractor quotations for the project, per Minn. Stat. Sec. 471.345

Adopted by the City Council of Inver Grove Heights, Minnesota this April 26, 2021.

Tom Bartholomew, Mayor

ATTEST

Rebecca Kiernan, City Clerk



Request for Council Action

Consider Resolution Awarding Contract for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08)

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Consent	Amount included in current budget	
Contact:	Thomas J. Kaldunski, 651-315-6336	Budget amendment requested	
Prepared by:	Thomas J. Kaldunski, City Engineer	FTE included in current complement	
Reviewed by:	Klay Eckles, Interim Public Works Director	New FTE requested - N/A	
		Other: NWA Water Fund 511, NWA Sewer Fund 512	X

PURPOSE/ACTION REQUESTED

Consider Resolution Awarding Contract for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08).

SUMMARY

Bids on City Project No. 2021-01 were opened on April 15, 2021. There were six bidders for the project. The low bidder on the project is Northern Lines Contracting, Inc. with a total bid of \$1,274,460.72 (\$885,302.22 for the base bid and \$389,158.50 for the alternate). The Engineer's estimate for the project was \$1,268,143.50 (\$749,528.50 for the base bid and \$518,615.00 for the alternate). Northern Lines Contracting, Inc. has previous experience on projects of this size and complexity in the greater metro area.

Engineering staff recommends awarding the contract to Northern Lines Contracting, Inc. in the amount of \$1,274,460.72 for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08).

TJK/kf

Attachment(s): Award letter from Bolton & Menk

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

**RESOLUTION AWARDING CONTRACT TO NORTHERN LINES CONTRACTING, INC. FOR CITY
PROJECT NO. 2021-01 - NWA TRUNK UTILITY IMPROVEMENTS FOR FUTURE COUNTY
PROJECTS OF ARGENTA TRAIL (2016-05) AND 70TH ST. (2015-08)**

RESOLUTION NO. _____

WHEREAS, pursuant to an advertisement for bids for the 2021 Improvement Program, City Project 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08) bids were received, opened on April 15, 2021 at 11:00 a.m., read aloud, and tabulated according to law. The following bids were received complying with the advertisement:

Contractor	5% Bid Bond	Base Bid	Alternate No. 1	Base Bid Plus Alternate
Northern Lines Contracting	Yes	\$885,302.22	\$389,158.50	\$1,274,460.72
S.M. Hentges & Sons, Inc.	Yes	\$1,168,912.70	\$426,953.00	\$1,595,865.70
Minger Construction Co., Inc.	Yes	\$1,195,711.90	\$341,407.50	\$1,537,119.40
SR Weidema, Inc.	Yes	\$1,293,321.65	\$459,404.50	\$1,752,726.15
RL Larson Excavating, Inc.	Yes	\$1,381,922.75	\$414,739.49	\$1,796,662.24
Geislinger & Sons	Yes	\$1,500,884.00	\$407,816.00	\$1,908,700.00

WHEREAS, Northern Lines Contracting is the lowest responsible bidder for the base bid plus the alternate with a total amount of \$1,274,460.72.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS
THAT:**

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with Northern Lines Contracting in the name of the City of Inver Grove Heights, for the 2021 Improvement Program, City Project 2021-01 according to plans and specifications therefore approved by the Council and on file at the Office of the City Clerk (base bid plus alternate).
2. The City Clerk is hereby authorized and directed to return, forthwith, to all bidders, the deposits made with their bids except for the deposit of the successful bidder and the next lowest bidder shall be retained until the contract has been signed.
3. Project funding for the City Project No. 2021-01 in the amount of \$1,274,460.72 shall be provided by the NWA Water and Sewer Funds.

Adopted by the City Council of Inver Grove Heights this 26th day of April 2021

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

April 15, 2021

Honorable Mayor and City Council
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: 2021 Trunk Utility Extensions
City of Inver Grove Heights, Minnesota
City Project No. 2021-01
BMI Project No.: T18.122606

Dear Mayor and Council Members,

Bids on the above-referenced project were opened on Thursday, April 15, 2021. There were six bidders for the project; a detailed bid abstract is enclosed. The low bidder on the project is Northern Lines Contracting, Inc. with a total bid of \$1,274,460.72 (\$885,302.22 for the base bid and \$389,158.50 for the add alternate). The Engineer's Estimate for the project was \$1,268,143.50 (\$749,528.50 for the base bid and \$518,615.00 for the add alternate). Northern Lines Contracting, Inc. has previous experience on projects of this size and complexity in the greater metro area.

Based on Northern Lines' experience, acceptable bid prices, and the competitive bids the City received, we recommend the City of Inver Grove Heights award the project, including the base bid and add alternate, to Northern Lines Contracting, Inc. at the Council meeting on April 26, 2021.

If you have any questions regarding this award recommendation, please contact me or Nick Amatuccio at your convenience.

Sincerely,

Bolton & Menk, Inc.

Eric Seaburg, P.E.
Project Manager

Enclosures

cc: Thomas J. Kaldunski, P.E., City of Inver Grove Heights, City Engineer
Nick Amatuccio, P.E., Bolton & Menk, Project Engineer

Request for Council Action

Consider Resolution Approving Acquisition of Permanent Drainage and Utility Easement and Temporary Easement for Construction Purposes for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08)

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Consent	Amount included in current budget	
Contact:	Thomas J. Kaldunski, 651-315-6336	Budget amendment requested	
Prepared by:	Thomas J. Kaldunski, City Engineer	FTE included in current complement	
Reviewed by:	Klay Eckles, Interim Public Works Director	New FTE requested - N/A	
		Other: NWA Water Fund 511, NWA Sewer Fund 512	X

PURPOSE/ACTION REQUESTED

Consider Resolution Approving Acquisition of Permanent Drainage and Utility Easement and Temporary Easement for Construction purposes for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08).

SUMMARY

A 56-foot-wide easement for drainage and utility purposes over, under and across that part of Lot 1, Block 1, Garvey Addition is needed for City Project No. 2021-01, by and between Falcon Development, LLC in consideration of the sum of \$16,900 to be paid by the City.

Falcon Development, LLC has entered into a temporary construction easement for grading, sloping and construction purposes in accordance with the plans and specifications of City Project No. 2021-01.

Staff recommends approval of the resolution approving acquisition of the Permanent Drainage and Utility Easement and Temporary Easement for Construction purposes for City Project No. 2021-01 - NWA Trunk Utility Improvements for Future County Projects of Argenta Trail (2016-05) and 70th St. (2015-08).

TJK/kf

Attachment(s): Permanent and Temporary Easement Agreement

**CITY OF INVER GROVE
HEIGHTSDAKOTA COUNTY,
MINNESOTA**

**RESOLUTION APPROVING ACQUISITION OF PERMANENT DRAINAGE AND UTILITY
EASEMENT AND TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES FOR CITY
PROJECT NO. 2021-01 -NWA TRUNK UTILITY IMPROVEMENTS FOR FUTURE
COUNTY PROJECTS OF ARGENTA TRAIL (2016-05) AND 70TH ST. (2015-08).**

RESOLUTION NO. _____

WHEREAS, a Permanent Drainage and Utility Easement and Temporary Easement for construction purposes is needed for City Project No. 2021-01; and

WHEREAS, the City staff have met with the landowner and landowner is willing to convey the required easements to the City in exchange for the sum of \$16,900.00.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS
THAT:**

1. The City Council hereby approves and accepts the attached Permanent and Temporary Easement; authorizes payment of the sum of \$16,900.00 to the Property Owner in exchange for the permanent and temporary easement; and authorizes execution of the Easement by the Mayor and City Clerk.
2. The Council finds, by a vote of at least two-thirds of its members, that the proposed easement acquisition has no relationship to the comprehensive municipal plan.
3. Project funding for the City Project No. 2021-01 shall be provided by the NWA Water and Sewer Funds.

Adopted by the City Council of Inver Grove Heights this 26th day of April 2021

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

**PERMANENT DRAINAGE AND UTILITY EASEMENT AND
TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES**

THIS EASEMENT AGREEMENT (“Easement”) is made, granted and conveyed this _____ day of April, 2021, by and between Falcon Development, LLC, a Minnesota limited liability company (“Landowner”) and the City of Inver Grove Heights, a Minnesota municipal corporation (“City”). Landowner in consideration of the sum of \$16,900 to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, this Easement.

PROPERTY DESCRIPTION

Landowner owns real property in Dakota County, Minnesota, legally described on Exhibit A (“Landowner’s Property”), attached hereto and incorporated herein by reference.

PERMANENT EASEMENT DESCRIPTION

The Landowner does hereby grant and convey unto the City, its successors and assigns, forever the following:

A permanent easement for utility and drainage purposes (“Permanent Easement”) under, over and across that real property legally described as the Perpetual Drainage & Utility Easement on Exhibit B and likewise depicted on Exhibit C (the “Permanent Easement Area”), attached hereto and incorporated herein by reference.

The Permanent Easement rights granted herein are forever and shall include, the construction, maintenance, repair and replacement of any sanitary sewer, storm sewer, water mains, fire hydrant, storm water facilities, below ground drainage facilities, underground pipes, conduits, culverts, and mains under, over and across the Permanent Easement Area. The Permanent Easement rights further include, but are not limited to, the right of ingress and egress over the Permanent Easement Area to access the Permanent Easement for the foregoing purposes.

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

Landowner does hereby grant and convey unto the City, its successors and assigns, the following:

A temporary construction easement for grading, sloping and construction purposes in accordance with the plans and specifications provided by the City, and all such purposes ancillary, incident or related thereto ("Temporary Easement") under, over, across, through and upon the real property legally described as the Temporary Construction Easement on Exhibit B and likewise depicted on Exhibit C ("Temporary Easement Area"), attached hereto and incorporated herein by reference.

The Temporary Easement shall terminate on June 1, 2022.

EXEMPT FROM STATE DEED TAX

The rights of the City also include the right of the City, its contractors, agents and servants:

- (a) To enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Permanent Easement; and
- (b) To enter upon the Temporary Easement Area (until the date of termination of the Temporary Easement) at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Temporary Easement; and
- (c) To maintain the Permanent Easement Area, Temporary Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- (d) To remove from the Permanent Easement Area and Temporary Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the utility pipes, conduits, mains and above ground and below ground drainage facilities and to deposit earthen material in and upon the Permanent Easement Area and Temporary Easement Area; and
- (e) To remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area and Temporary Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to the Permanent Easement Area, Temporary Easement Area or the Landowner's Property, prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise.

The City's proposed improvements will disturb the Landowner's Property. The City agrees to restore the Landowner's Property to its original condition, to the extent reasonably possible, after having made its improvements.

All work done in connection with the installation, maintenance or repair of any improvements, shall be done expeditiously so as not to unreasonably interfere with or hinder the use and enjoyment of the Easement Area by any person or entity having a right to use the Easement Area.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of Landowner's Property described on Exhibit A, the Permanent Easement Area described as the Perpetual Drainage & Utility Easement on Exhibit B and depicted on Exhibit C and the Temporary Easement Area described as the Temporary Construction Easement on Exhibit B and depicted on Exhibit C and has good right to grant and convey the Permanent Easement and Temporary Easement herein to the City.

This Easement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

This Easement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

[Remainder of this page has been intentionally left blank]

CITY:
CITY OF INVER GROVE HEIGHTS

Thomas Bartholomew, Mayor

Rebecca Kiernan, City Clerk

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

On this ____ day of _____, 2021, before me a Notary Public within and for said County, personally appeared Thomas Bartholomew and Rebecca Kiernan, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

This Instrument Was Drafted By
And After Recording Return To:
Peter G. Mikhail (#0249907)
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER'S PROPERTY

That part of Lot 1, Block 1, Garvey Addition, Dakota County, Minnesota which lies Southerly of a line described as follows:

Commencing at the Northeast corner of said Lot 1; thence Southerly along the East line of said Lot 1, a distance of 340.41 feet to an angle point in said East line, said point being the point of beginning of the line to be described; thence Westerly a distance of 1267.06 feet to a point on the West line of said Lot 1 which is 347.13 feet South of the Northwest corner thereof, as measured along said West line, and there terminating.

PID: 20-28500-01-011

Abstract Property

EXHIBIT B
LEGAL DESCRIPTION OF PERMANENT EASEMENT AREA
AND TEMPORARY EASEMENT AREA

PERPETUAL DRAINAGE & UTILITY EASEMENT

A 56.00 foot wide perpetual easement for drainage and utility purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota. The centerline of said easement is described as follows:

Commencing at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 56 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 225.60 feet to the point of beginning of the centerline to be described; thence North 90 degrees 00 minutes 00 seconds West, a distance of 370.00 feet and said centerline there terminating.

EXCEPT that part thereof lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

TEMPORARY CONSTRUCTION EASEMENT

A temporary easement for construction purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 56 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 456.04 feet to the southeast corner of the Exception Parcel as delineated and described on said GARVEY ADDITION; thence South 89 degrees 48 minutes 02 seconds West along the south line of said Exception parcel and its westerly extension, a distance of 246.87 feet; thence South 00 degrees 56 minutes 25 seconds East, a distance of 102.09 feet; thence South 48 degrees 39 minutes 12 seconds West, a distance of 52.93 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 161.24 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 319.65 feet to the south line of said Southeast Quarter; thence North 89 degrees 48 minutes 02 seconds East along said south line, a distance of 453.66 feet to said point of beginning.

EXCEPT those parts thereof lying within the above-described perpetual easement and lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

The Temporary Easement shall terminate on June 1, 2022.

PROPOSED EASEMENT DESCRIPTION

A 36.00 foot wide perpetual easement for drainage and utility purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota. The centerline of said easement is described as follows:

Commencing at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 36 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 72.50 feet to the point of beginning; thence South 00 degrees 00 minutes 00 seconds East, a distance of 370.00 feet and said centerline there terminating.

EXCEPT that part thereof lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

AND

A temporary easement for construction purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 36 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 450.04 feet to the southeast corner of the Exception Parcel as delineated and described on said GARVEY ADDITION plat; thence South 00 degrees 00 minutes 00 seconds East, a distance of 246.87 feet; thence South 00 degrees 56 minutes 12 seconds East, a distance of 102.09 feet; thence South 48 degrees 39 minutes 12 seconds West, a distance of 161.24 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 319.65 feet to the south line of said Southeast Quarter; thence North 89 degrees 48 minutes 02 seconds East along said south line, a distance of 435.66 feet to said point of beginning.

EXCEPT those parts thereof lying within the above-described perpetual easement and lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

Said temporary easement shall expire on _____.

SURVEYOR'S CERTIFICATION

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

E. R. Wilfong _____ **03/24/2021**
Eric R. Wilfong Date
License Number 4666

PROPOSED PERPETUAL DRAINAGE & UTILITY EASEMENT (16,222 SQ. FT.)

PROPOSED TEMPORARY CONSTRUCTION EASEMENT (73,579 SQ. FT.)

DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470

SE COR. OF SE 1/4 OF SEC. 6, T. 27 N., R. 22 W. (POINT OF BEGINNING)

S. 89° 48' 02" E 453.66'

S. 00° 56' 25" E 102.09'

S. 89° 48' 02" W 246.87'

SE COR. OF SE 1/4 OF SEC. 6, T. 27 N., R. 22 W. (POINT OF BEGINNING)

EAST LINE OF SE 1/4 OF SEC. 6, T. 27 N., R. 22 W.

POINT OF BEGINNING

225.60'

28' 28' 28'

N 90° 00' 00" W 370.00'

N 90° 00' 00" W 161.24'

S 00° 00' 00" E 319.65'

DAKOTA COUNTY ROAD

PARCEL 2

PARCEL 1

LOT 1

BLOCK 1

GARVEY ADDITION

OWNER: FALCON PARTNERS LTD PARTSHIP
PID: 20-28500-01-011

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INGHYT18122606/CAD/C3D/Easement13122606_V_EASE_N1_Falcon Partners Ltd Ptnshp-REVISION.dwg 3/24/2021 6:43 PM

JOB NUMBER: T18.122606

DRAWN BY: ERW/MEA

FILE NO. 5385

BOLTON & MENK

13224 NICOLLET AVENUE
BURNSVILLE, MN 55337
(952) 890-0595

EASEMENT EXHIBIT
INVER GROVE HEIGHTS, MN

PART OF:
LOT 1, BLOCK 1
GARVEY ADDITION
DAKOTA COUNTY, MN
FOR: CITY OF INVER GROVE HEIGHTS

**PERMANENT DRAINAGE AND UTILITY EASEMENT AND
TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES**

THIS EASEMENT AGREEMENT ("Easement") is made, granted and conveyed this _____ day of April, 2021, by and between Falcon Development, LLC, a Minnesota limited liability company ("Landowner") and the City of Inver Grove Heights, a Minnesota municipal corporation ("City"). Landowner in consideration of the sum of \$16,900 to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, this Easement.

PROPERTY DESCRIPTION

Landowner owns real property in Dakota County, Minnesota, legally described on Exhibit A ("Landowner's Property"), attached hereto and incorporated herein by reference.

PERMANENT EASEMENT DESCRIPTION

The Landowner does hereby grant and convey unto the City, its successors and assigns, forever the following:

A permanent easement for utility and drainage purposes ("Permanent Easement") under, over and across that real property legally described as the Perpetual Drainage & Utility Easement on Exhibit B and likewise depicted on Exhibit C (the "Permanent Easement Area"), attached hereto and incorporated herein by reference.

The Permanent Easement rights granted herein are forever and shall include, the construction, maintenance, repair and replacement of any sanitary sewer, storm sewer, water mains, fire hydrant, storm water facilities, below ground drainage facilities, underground pipes, conduits, culverts, and mains under, over and across the Permanent Easement Area. The Permanent Easement rights further include, but are not limited to, the right of ingress and egress over the Permanent Easement Area to access the Permanent Easement for the foregoing purposes.

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

Landowner does hereby grant and convey unto the City, its successors and assigns, the following:

A temporary construction easement for grading, sloping and construction purposes in accordance with the plans and specifications provided by the City, and all such purposes ancillary, incident or related thereto ("Temporary Easement") under, over, across, through and upon the real property legally described as the Temporary Construction Easement on Exhibit B and likewise depicted on Exhibit C ("Temporary Easement Area"), attached hereto and incorporated herein by reference.

The Temporary Easement shall terminate on June 1, 2022.

EXEMPT FROM STATE DEED TAX

The rights of the City also include the right of the City, its contractors, agents and servants:

- (a) To enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Permanent Easement; and
- (b) To enter upon the Temporary Easement Area (until the date of termination of the Temporary Easement) at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Temporary Easement; and
- (c) To maintain the Permanent Easement Area, Temporary Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- (d) To remove from the Permanent Easement Area and Temporary Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the utility pipes, conduits, mains and above ground and below ground drainage facilities and to deposit earthen material in and upon the Permanent Easement Area and Temporary Easement Area; and
- (e) To remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area and Temporary Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to the Permanent Easement Area, Temporary Easement Area or the Landowner's Property, prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise.

The City's proposed improvements will disturb the Landowner's Property. The City agrees to restore the Landowner's Property to its original condition, to the extent reasonably possible, after having made its improvements.

All work done in connection with the installation, maintenance or repair of any improvements, shall be done expeditiously so as not to unreasonably interfere with or hinder the use and enjoyment of the Easement Area by any person or entity having a right to use the Easement Area.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of Landowner's Property described on Exhibit A, the Permanent Easement Area described as the Perpetual Drainage & Utility Easement on Exhibit B and depicted on Exhibit C and the Temporary Easement Area described as the Temporary Construction Easement on Exhibit B and depicted on Exhibit C and has good right to grant and convey the Permanent Easement and Temporary Easement herein to the City.

This Easement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

This Easement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

[Remainder of this page has been intentionally left blank]

LANDOWNER:

By 
Jonathan R. Lee
Its: President

STATE OF MINNESOTA)
) ss.
COUNTY OF Dakota)



Notary Public



CITY:
CITY OF INVER GROVE HEIGHTS

Thomas Bartholomew, Mayor

Rebecca Kiernan, City Clerk

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

On this ____ day of _____, 2021, before me a Notary Public within and for said County, personally appeared Thomas Bartholomew and Rebecca Kiernan, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

This Instrument Was Drafted By
And After Recording Return To:
Peter G. Mikhail (#0249907)
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER'S PROPERTY

That part of Lot 1, Block 1, Garvey Addition, Dakota County, Minnesota which lies Southerly of a line described as follows:

Commencing at the Northeast corner of said Lot 1; thence Southerly along the East line of said Lot 1, a distance of 340.41 feet to an angle point in said East line, said point being the point of beginning of the line to be described; thence Westerly a distance of 1267.06 feet to a point on the West line of said Lot 1 which is 347.13 feet South of the Northwest corner thereof, as measured along said West line, and there terminating.

PID: 20-28500-01-011

Abstract Property

EXHIBIT B
LEGAL DESCRIPTION OF PERMANENT EASEMENT AREA
AND TEMPORARY EASEMENT AREA

PERPETUAL DRAINAGE & UTILITY EASEMENT

A 56.00 foot wide perpetual easement for drainage and utility purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota. The centerline of said easement is described as follows:

Commencing at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 56 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 225.60 feet to the point of beginning of the centerline to be described; thence North 90 degrees 00 minutes 00 seconds West, a distance of 370.00 feet and said centerline there terminating.

EXCEPT that part thereof lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

TEMPORARY CONSTRUCTION EASEMENT

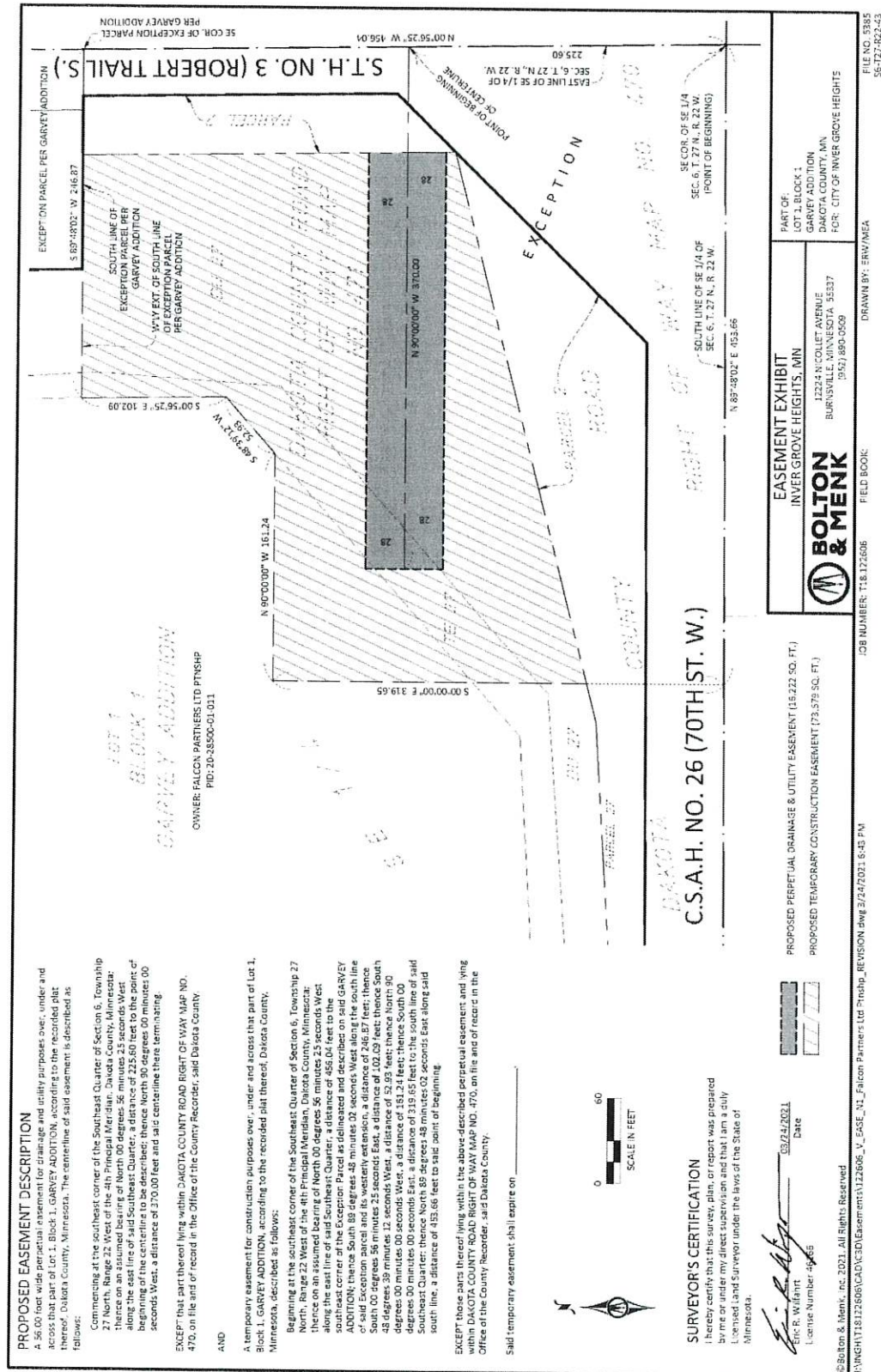
A temporary easement for construction purposes over, under and across that part of Lot 1, Block 1, GARVEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the southeast corner of the Southeast Quarter of Section 6, Township 27 North, Range 22 West of the 4th Principal Meridian, Dakota County, Minnesota; thence on an assumed bearing of North 00 degrees 56 minutes 25 seconds West along the east line of said Southeast Quarter, a distance of 456.04 feet to the southeast corner of the Exception Parcel as delineated and described on said GARVEY ADDITION; thence South 89 degrees 48 minutes 02 seconds West along the south line of said Exception parcel and its westerly extension, a distance of 246.87 feet; thence South 00 degrees 56 minutes 25 seconds East, a distance of 102.09 feet; thence South 48 degrees 39 minutes 12 seconds West, a distance of 52.93 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 161.24 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 319.65 feet to the south line of said Southeast Quarter; thence North 89 degrees 48 minutes 02 seconds East along said south line, a distance of 453.66 feet to said point of beginning.

EXCEPT those parts thereof lying within the above-described perpetual easement and lying within DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 470, on file and of record in the Office of the County Recorder, said Dakota County.

The Temporary Easement shall terminate on June 1, 2022.

EXHIBIT C **DEPICTION OF PERMANENT EASEMENT AREA** **AND TEMPORARY EASEMENT AREA**



**Request for Council Action****TITLE:** Jim and Lora Krech - Case No. 21-18S

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Consent Agenda	Amount included in current budget	
Contact:	Heather Botten 651-450-2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED: Approve a Resolution relating to a Preliminary and Final plat for the plat of Oakbush Fifth Addition and a Resolution to vacate drainage and utility easements within Lot 4, Block 1, Oakbush Second Addition, Lot 2, Block 1, Oakbush Third Addition and Lot 1, Block 1, Oakbush Fourth Addition.

- Requires a 3/5th's vote.
- 60-day deadline: May 7, 2021 (first 60 days)

SUMMARY:

The applicant is proposing to adjust the lot boundaries of three existing lots. No additional lots are being created. There is an existing home and detached structure on the current larger lot; the other two lots are vacant. The applicant would be increasing the size of the two vacant lots to make the lots more appealing and buildable. The applicant has withdrawn a variance request to allow the accessory structure on a lot without a principal structure. Therefore, the request is straight forward, adjusting the lot boundaries on three existing lots. All three lots meet and exceed lot size and width requirements. Two of the lots have access to Blaine Avenue and 62nd Street, the other lot accesses Blackberry Trail. The existing home accesses 62nd Street, the current driveway does not comply with setback requirements. As a condition of approval staff is recommending that a minimum 12-foot space be required between the two easements on Lot 2 and Lot 3 for a driveway to be installed in the future that would comply with code requirements.

To obtain a clean title on the properties, the drainage and utility easements on Lot 4, Block 1, Oakbush Second Addition, Lot 2, Block 1 Oakbush Third Addition, and Lot 1, Block 1 Oakbush Fourth Addition shall be vacated. The required easements will be dedicated on the new plat of Oakbush Fifth Addition. Engineering has reviewed the plat and is in support of the plat and vacation of easements.

RECOMMENDATION:

City Staff: Recommends approval of the plat and vacation of easements with the conditions listed in the attached resolutions.

Planning Commission: At the April 20, 2021 public hearing, the applicant was present. No neighbors testified at the public hearing. The Planning Commission recommended approval of the request with the conditions listed in the attached resolutions (9-0).

Attachments: Preliminary and Final Plat Resolution
Vacation Resolution
Preliminary Plat
Final Plat
Planning Report

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR THE PLAT OF
OAKBUSH FIFTH ADDITION**

**CASE NO. 21-18S
(Krech)**

WHEREAS, a preliminary and final plat application has been submitted to the City for property legally described as;

Lot 4, Block 1, Oakbush Second Addition, Dakota County MN &
Lot 2, Block 1 Oakbush Third Addition, Dakota County MN &
Lot 1, Block 1 Oakbush Fourth Addition, Dakota County MN

WHEREAS, a public hearing concerning the preliminary and final plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on April 20, 2021;

WHEREAS, the final plat application satisfies the conditions of preliminary plat and conforms to all applicable zoning and subdivision regulations (City Code Title 10 and Title 11) and other standards applied by the City in the platting of property.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, a Preliminary and Final Plat for the plat of Oakbush Fifth Addition is hereby approved, subject to the following conditions:

1. The final plat shall be in substantial conformance with the plans on file with the Planning Department except as may be modified by the conditions below.

2. The final plat shall demonstrate a 12-foot wide space to accommodate a driveway between the perimeter drainage and utility easements between Lot 2 and Lot 3 where they abut at the end of the flag portion of the plat.
3. A Custom Grading Agreement shall be prepared by the City Attorney and executed by both the City and the property owner prior to issuance of a building permit for Lot 1 and Lot 3.
4. The applicant shall meet the conditions outlined in the City Engineers review letters and subsequent correspondence.
5. Prior to the release of the plat, the Owner shall enter into an Encroachment Agreement, and other agreements related thereto with the City.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL, that the Mayor and Deputy Clerk are hereby authorized to execute the Final Plat.

Passed this 26th day of April, 2021.

AYES:

NAYS:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. _____

RESOLUTION APPROVING VACATION OF DRAINAGE AND UTILITY EASEMENTS

**CASE NO. 21-18S
(Krech)**

WHEREAS, the applicant initiated the vacation of the following drainage and utility easements located on the lots listed below situated in the City of Inver Grove Heights, Dakota County, State of Minnesota, to wit:

Lot 4, Block 1, Oakbush Second Addition and
Lot 2, Block 1 Oakbush Third Addition and
Lot 1, Block 1 Oakbush Fourth Addition

WHEREAS, a notice of hearing on said petition has been duly published and posted in accordance with the applicable Minnesota Statutes, and

WHEREAS, a public hearing was held on said petition on April 20, 2021 at the remote Planning Commission meeting, and

WHEREAS, the Planning Commission then proceeded to hear all persons interested in said petition and all persons interested were afforded an opportunity to present their views and objections to the granting of said petition, and

WHEREAS, the City Council of Inver Grove Heights has determined that the land described in the Easement is no longer needed for the use and purpose recited in the Easement;

WHEREAS, the City Council of Inver Grove Heights has determined that the vacation of said drainage and utility easement would be in the public interest.

BE IT FURTHER RESOLVED That the easement vacation authorized by this resolution shall only be effective following the recording of a Notice of Completion, pursuant to Minnesota Statutes, Section 412.851.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Ayes:

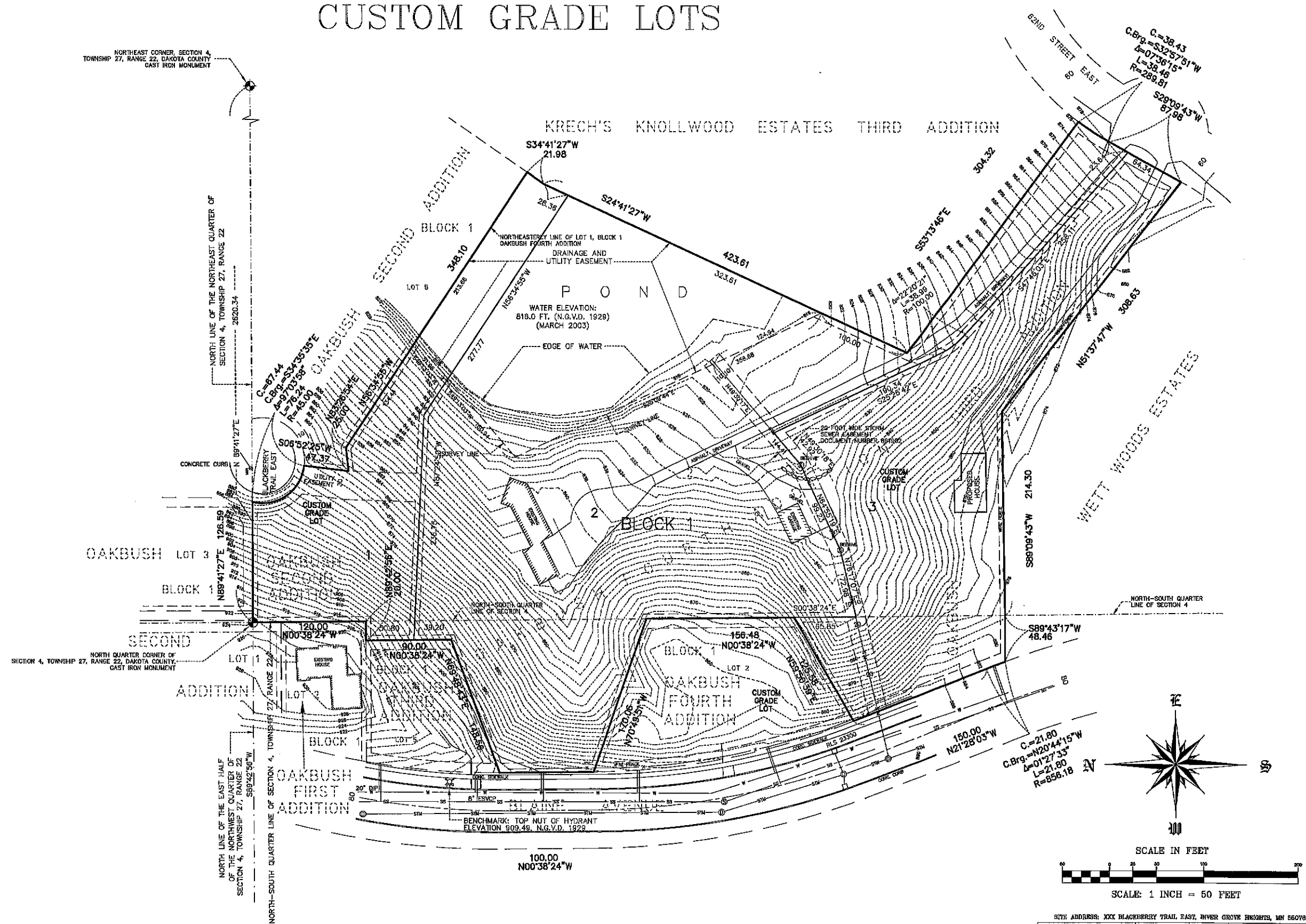
Nays:

Tom Bartholomew, Mayor

ATTEST:

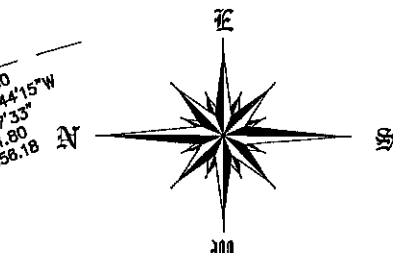
Rebecca Kiernan, City Clerk

PRELIMINARY PLAT: OAKBUSH FIFTH ADDITION CUSTOM GRADE LOTS



LEGEND

- DENOTES 12 INCH COMMON SPIKE SET WITH WASHER STAMPED RLS 18464 OR AS NOTED.
- DENOTES IRON MONUMENT FOUND SIZE, TYPE, & RLS AS NOTED.
- DENOTES EXISTING GRADE CONTOUR
- - - - DENOTES UNDERGROUND GAS LINE
- - - - DENOTES WATER MAIN OR SERVICE
- - - - DENOTES SANITARY SEWER OR SERVICE
- - - - DENOTES STORM SEWER
- - - - DENOTES CHAIN-LINK FENCE
- - - - DENOTES WOOD FENCE
- ⊙ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊙ DENOTES WATER MAIN MANHOLE
- ⊙ DENOTES CATCH BASIN
- ⊙ DENOTES GAS METER
- ⊙ DENOTES ELECTRIC METER
- ⊙ DENOTES UTILITY POLE
- ⊙ DENOTES OVERHEAD UTILITY WIRES
- ⊙ DENOTES FIRE HYDRANT
- ⊙ DENOTES CONCRETE SURFACE
- ⊙ DENOTES EXISTING BLOCK OR STONE RETAINING WALL

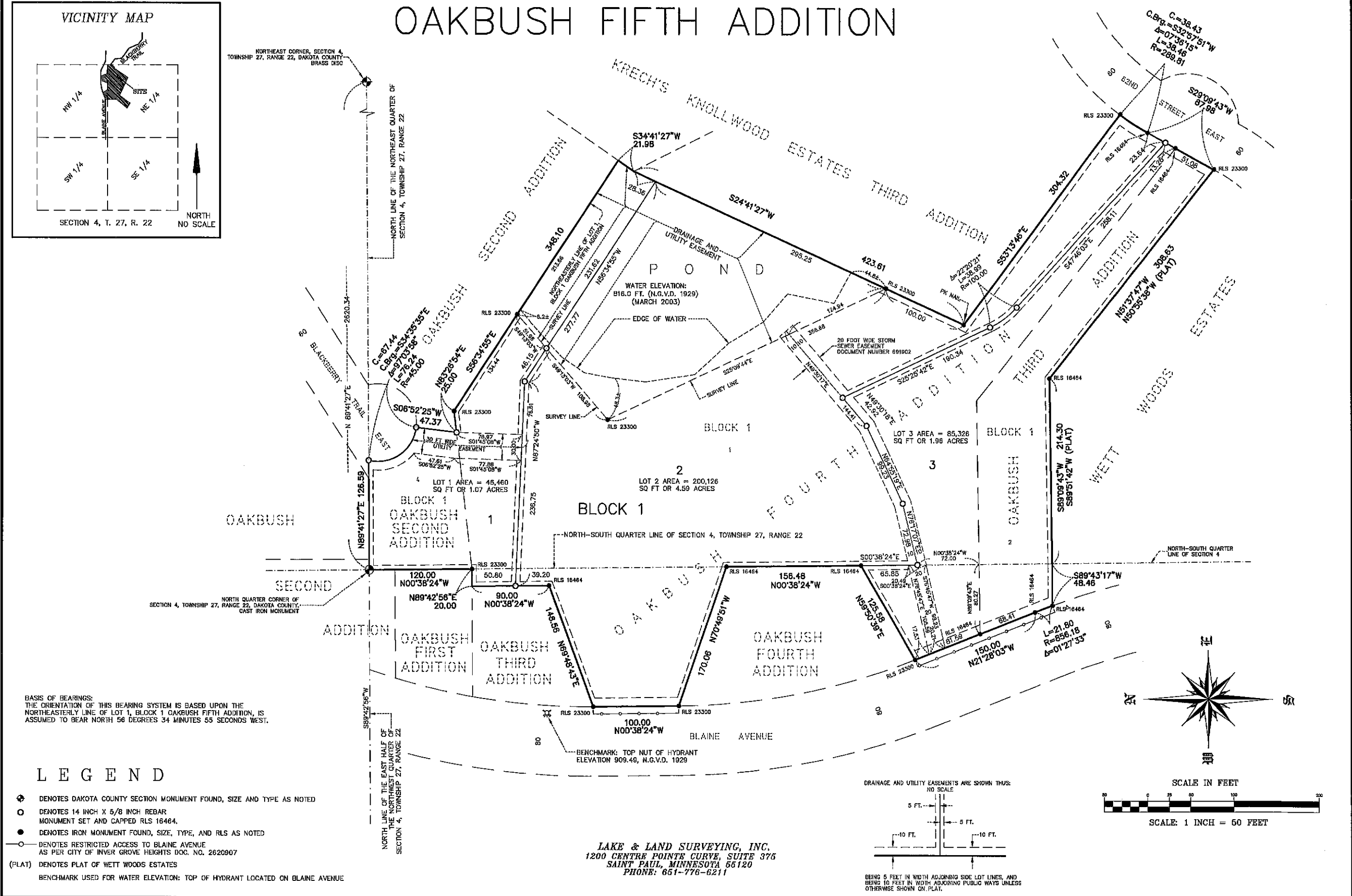
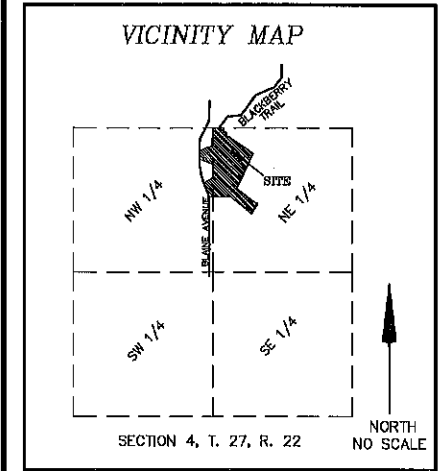


SCALE IN FEET
SCALE: 1 INCH = 50 FEET

SITE ADDRESS: 3000 BLACKBERRY TRAIL EAST, INVER GROVE HEIGHTS, MN 56009			
Client	Design by	Original date	I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Surveyor under the laws of the State of Minnesota. Surveyor's Seal No. 13454
MR. MARK SLOOS 3000 HWY 43RD PLACE CAPE CORAL, FL 33903 PHONE: (813) 769-3341	F	1-28-21	
	Drawn by	Revised	
	K/RP	4-19-21	
LAND AND LAND SURVEYING, INC. LAND SURVEYING/CONSULTING 1800 CENTRE POINTS CURVE, STE 206 KNOXVILLE, TENNESSEE 37922 PHONE: (615) 778-8221 E-MAIL: RUFFALO@ATTN.COM	Survey book no.		Page No.
	2021.016		GRADING PLAN
			Sheet number of

OFFICIAL PLAT

OAKBUSH FIFTH ADDITION





PLANNING REPORT

CASE NO: 21-18S

APPLICANT: Jim and Lora Krech

PROPERTY OWNERS: Jim & Lora Krech and Mark & Bonnie Solos

REQUEST: Preliminary and Final Plat for lot boundary adjustments, Vacation of easements and Variance to allow an accessory building on a property that does not have a principal structure.

HEARING DATE: April 20, 2021

LOCATION: 2585 62nd Street and two abutting vacant properties, identified as PID No.'s 20-53577-01-020, 20-53576-01-010 and 20-53576-01-040.

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: R-1C, single-family residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant has submitted a request to adjust lot boundaries of three lots from previous Oakbush plats into three new lots to be known as Oakbush Fifth Addition. There is an existing home and detached structure on the current larger lot; the other two lots are vacant. The applicant would be increasing the size of the two vacant lots to make the lots more appealing and buildable. As a result of the replat easements from existing plats would be vacated and new perimeter easements would be included with the proposed plat. A variance is also being requested for the proposed Lot 3 as the way the new lot boundary is drawn it would include the detached accessory building on a property that is currently vacant. Our code states that an accessory building is not allowed on a property without a principal structure.

SPECIFIC REQUESTS

The application consists of the following:

1. A Preliminary and Final Plat for a 3-lot single family subdivision.
2. Vacation of existing drainage and utility easements.
3. Variance to allow a detached accessory building on a lot prior to a principal structure.

EVALUATION OF THE REQUEST

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

North Single family; zoned R-1C, single-family residential; guided LDR, low density residential
East Single family; zoned E-1, Estate Residential; guided LDR, low density residential
West Single family; zoned R-1C, single-family residential; guided LDR, low density residential
South Single family; zoned R-1C, single-family residential; guided LDR, low density residential

PRELIMINARY PLAT

Zoning. The property is zoned R-1C, Single Family Residential which allows for single family homes on lots no less than 12,000 square feet in area and 85 feet in lot width. All three lot meet and exceed these requirements.

Lots & Blocks. The proposed project consists of three existing parcels. The request is to adjust the lot boundaries of the three lots. All of the lots exceed the minimum lot area requirement.

Park Dedication. Park Dedication is not required as no new lots are being created with the plat.

Access/Streets. Two of the lots have access to Blaine Avenue and 62nd Street, the other lot accesses Blackberry Trail.

The existing home accesses 62nd Street, the current driveway does not comply with setback requirements. The way the plat is proposed between lots 2 and 3 the perimeter drainage and utility easements are abutting at the end of the flag lot portion of the plat. Staff is recommending that a minimum 12-foot space be required between the two easements for a driveway to be installed in the future that would comply with code requirements.

Existing Buildings. There is currently one single-family home and one detached accessory building on the largest of the three properties. The proposed plat is adjusting the lot boundary to incorporate the detached structure on one of the vacant lots.

City Code Sections 10-5-1 and 10-15-18 state in no zoning district may an accessory structure be constructed on a lot prior to the construction of the lot's principal structure. A variance for the accessory building is discussed below.

Engineering Issues. Engineering is agreeable to the boundary adjustments and has made recommendations on conditions that are included at the end of this report. The applicant shall continue to work with the City to secure final approval of the construction plans. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer. Some of the comments are addressed as conditions of approval and some would be contained in the custom graded lot agreements.

Tree Preservation. All of the lots would be custom graded and therefore, no grading on the lots would occur before building permits are issued. The ordinance allows 30% removal before reforestation is required.

VACATION OF EASEMENTS

To obtain a clean title on the properties, the drainage and utility easements on Lot 4, Block 1, Oakbush Second Addition, Lot 2, Block 1 Oakbush Third Addition, and Lot 1, Block 1 Oakbush Fourth Addition shall be vacated as shown on the attached exhibit. The required easements will be dedicated on the new plat of Oakbush Fifth Addition. Engineering has reviewed the plans and is in support of the vacation and rededication of easements.

VARIANCE

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

Staff does not believe the variance request is consistent with, or in harmony with the zoning ordinance and comprehensive plan. The City Code, in a couple different sections, state that an accessory building shall not be constructed on a property prior to the principal building. The property is currently in conformance with the code requirements; adjusting the lot boundaries as proposed is creating the code violation.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The request could be found contrary to the intent of the Zoning Code as the variance request creates a non-conforming lot.

One of the intents of the Zoning Code is to prohibit businesses on residential lots; this is more likely to occur allowing an accessory building on a property prior to a home being constructed. Lot 3 would consist of a detached structure roughly 1,500 square feet in size. This structure could easily turn into a business left alone on a property which would create land use conflicts. Another reason would be to prohibit the use of someone using the property for a storage lot for personal belongings, which could turn into a storage lot for family and friends as well.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

There do not appear to be any unique circumstances not created by the landowner. Staff does not believe there is a physical or property-related practical difficulty for this request. The accessory structure is currently located on the property with the home. Adjustment of the lot boundaries could be done while still maintaining the accessory building on the property with the existing home.

4. *The variance will not alter the essential character of the locality.*

The general intent of this standard is to limit the precedent that could be set if the variance is granted. Approving a lot without a principal structure opens the doors for other vacant residential lots to do the same.

5. *Economic considerations alone do not constitute an undue hardship.*
Economic considerations do not appear to be a basis or a sole basis for the request.

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 **Variance** to allow an accessory building on a lot without a principal structure for Lot 3, Block 1 Oakbush Fifth Addition subject to the following conditions:
 1. The accessory structure shall not be used for commercial uses or storage related to a commercial use.
 2. No outdoor storage is allowed on the property prior to a house being constructed.
 3. The structure shall be located at least 50 feet from the side property lines.

Practical difficulty: to be stated

- Approval of the **Preliminary and Final Plat** of Oakbush Fifth Addition subdivision subject to the following conditions:
 1. The final plat and development plan shall be in substantial conformance with the plans on file with the Planning Department except as may be modified by the conditions below.
 2. The final plat shall demonstrate a 12 foot width to accommodate a driveway between the perimeter drainage and utility easements between Lot 2 and Lot 3 where they abut at the end of the flag portion of the plat.
 3. A Custom Grading Agreement shall be prepared by the City Attorney and executed by both the City and the property owner prior to issuance of a building permit for Lot 1 and Lot 3.

4. The applicant shall meet the conditions outlined in the City Engineers review letters and subsequent correspondence.
 5. Prior to the release of the plat, the Owner shall enter into an Encroachment Agreement, and other agreements related thereto with the City.
- Approval of the **Vacation of Easements** on Lot 4, Block 1, Oakbush Second Addition, Lot 2, Block 1 Oakbush Third Addition, and Lot 1, Block 1 Oakbush Fourth Addition subject to the following condition:
 1. The vacation of easements shall be in substantial conformance with the plans on file with the Planning Department dated 1-28-21.

B. Denial. If the Planning Commission does not favor the proposed variance request, it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for other accessory buildings allowed on a property prior to a principal structure.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Adjusting the lot boundaries to include the accessory building on the vacant property appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

RECOMMENDATION

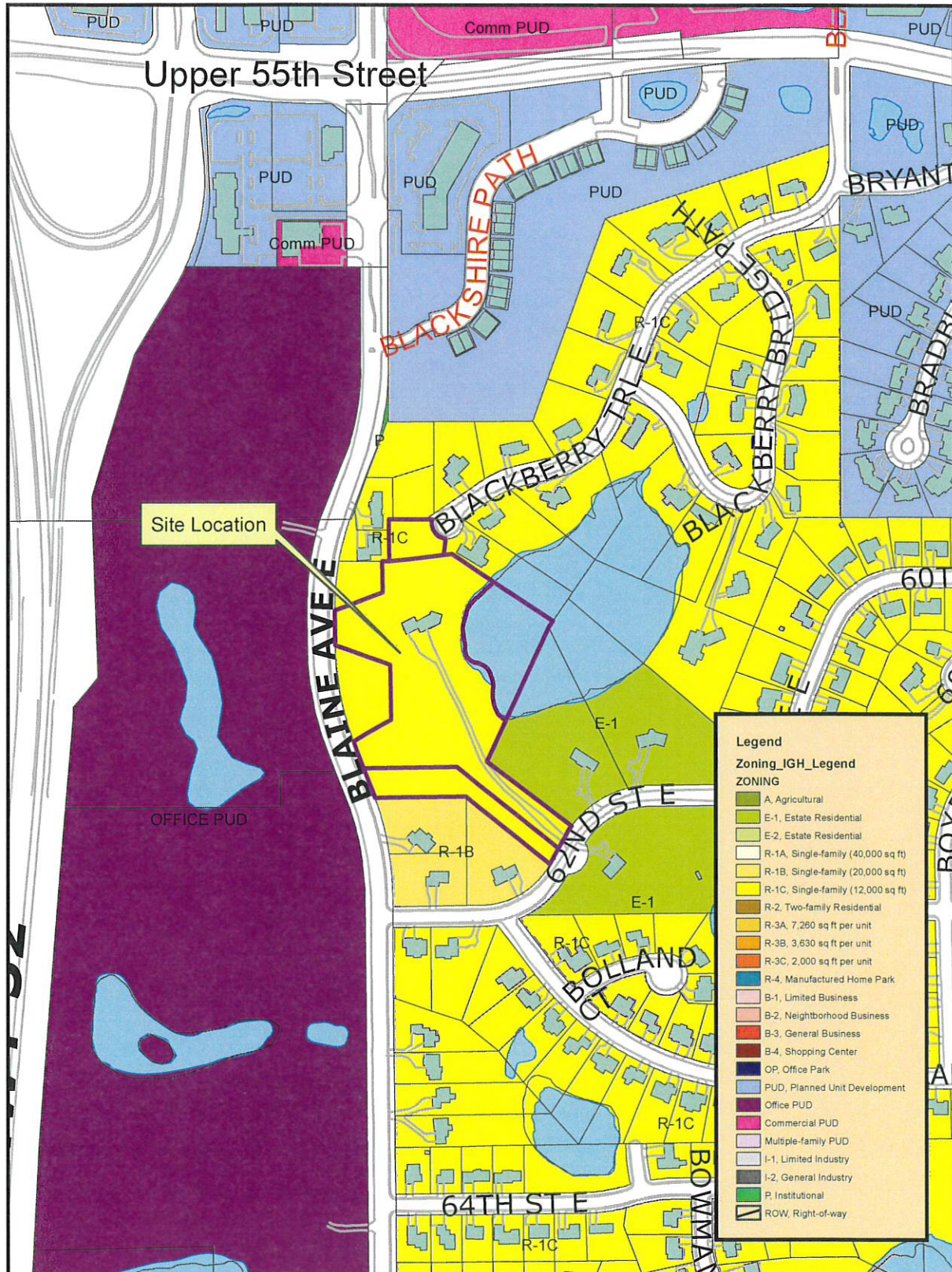
Staff does not support the request as presented. The design of the plat creates a non-conforming lot in relation to an accessory building on a property prior to a principal structure. Based on the information in the preceding report and the rationale listed in Alternative B, staff is recommending denial of the requests.

Staff would be in support of the plat and vacation of easements if the accessory building remained on Lot 2, Block 1 Oakbush Fifth Addition. This would eliminate the need for the variance.

Attachments: Exhibit A - Site/Zoning Map
Exhibit B - Narrative
Exhibit C - Preliminary Plat
Exhibit D- Final Plat
Exhibit E- Easements to be vacated
Exhibit F - Ingress and Egress easement



Case No. 21-18S



THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, 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

4/8/2018

Allan Hunting

City Planner

Re: Oakbush 5th Variance

Allan,

This is an application for a variance to the following ordinance:

10-5-1 Accessory Buildings

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

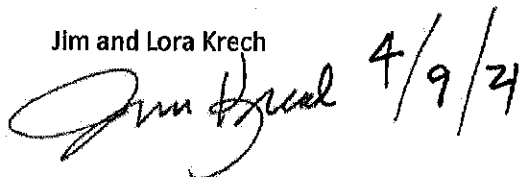
One of the goals of Oakbush 5th is to move the property line in order to include my existing shop, which was built in 2006, onto Lot 2. The building is not visible to my neighbors in the summer, as the closest one lives 300 feet from the shop which is 38 feet below Lot 2.

From Title 10, Chapter 3, Article 4, below find reasons for granting a variance.

1. The variance is in harmony with the general purposes and intent of the Zoning Ordinance.
2. The variance is consistent with the Comprehensive Plan.
3. The practical difficulty is wasting the time and resources of city staff, county staff, planning committee members, and city council members in asking me to re-plat 2-3 years from now.
 - i) The proposal I am presenting is to use the property in a reasonable manner not permitted by the Zoning Ordinance.
 - ii) This is a unique piece of property due to size, contours, distance from neighbors, and forestation.
 - iii) The variance will not alter the essential character of the locality.
 - iv) I think it is a misuse of \$7,000-\$10,000 to re-plat 2-3 years from now.
 - v) Finally, the variance is in keeping with the spirit and intent of the City Code and Comprehensive Plan.

Thank you for considering this proposal,

Jim and Lora Krech

A handwritten signature in black ink, appearing to read "Jim Krech", followed by the date "4/9/21" written in a similar cursive style.

VICINITY MAP

NW 1/4

NE 1/4

SW 1/4

SE 1/4

BLACKBURN HILL

ELANE AVENUE

SITE

NORTH

NO SCALE

SECTION 4, T. 27, R. 22

EXISTING CONDITIONS

NORTHEAST CORNER, SECTION 4, TOWNSHIP 27, RANGE 22, DAKOTA COUNTY, CAST IRON MONUMENT

62ND STREET EAST
VACATED PER DOC. NO.

KRECH'S KNOLLWOOD ESTATES THIRD ADDITION

BLOCK 1

LOT 5

POND

WATER ELEVATION: 816.0 FT. (N.G.V.D. 1929) (MARCH 2003)

EDGE OF WATER

OAKBUSH SECOND ADDITION

OAKBUSH FIRST ADDITION

OAKBUSH FOURTH ADDITION

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

WETT WOODS ESTATES

62ND STREET EAST

NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 27, RANGE 22

NORTH QUARTER CORNER OF SECTION 4, TOWNSHIP 27, RANGE 22, DAKOTA COUNTY, CAST IRON MONUMENT

NORTH-SOUTH QUARTER LINE OF SECTION 4

NORTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 27, RANGE 22

NORTH-SOUTH QUARTER LINE OF SECTION 4, TOWNSHIP 27, RANGE 22

BENCHMARK: TOP NUT OF HYDRANT ELEVATION 909.49, N.G.V.D. 1928

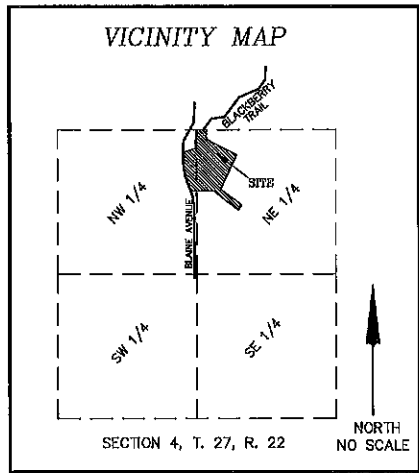
SCALE IN FEET

SCALE: 1 INCH = 50 FEET

SITE ADDRESS: XXX BLACKBERRY TRAIL EAST, UNVER GROVE HEIGHTS, MN 56078

SITE ADDRESS: XXX BLACKBERRY TRAIL EAST, UNVER GROVE HEIGHTS, MN 55078			
Client	Design by	Original date	I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota. I am duly Licensed Professional Engineer, number 14646.
MR. MARK SOLOE 2528 HWY 401 PLACE CAPE CORNELI, TULSA OKING 62-789-3344	for	1-26-21	
	Drawn by	Revisions	
	JK/JP		Jonathan L. Jones No. 1-26-21 Expiration Date: 11/04/24
LANE AND LAND SURVEYING, INC. LANE SURVEYING, INC. HOLDINGS 1500 CENTRAL FRONTIER COURT, STE 376 MINNETONKA HEIGHTS, MN 55120 PHONE: (612) 778-8221 E-MAIL: JLANE@LANESURVEYING.COM	Survey book No.		Page 16
	S.A. Number		EXISTING CONDITIONS
	2021.013		Sheet number of

EASEMENT VACATION



Vacate all drainage and utility easements as dedicated on the following lots:

Lot 4, Block 1, OAKBUSH SECOND ADDITION, according to the record plat thereof, Dakota County, Minnesota.

AND

Lot 2, Block 1, OAKBUSH THIRD ADDITION, according to the record plat thereof, Dakota County, Minnesota.

AND

Lot 1, Block 1, OAKBUSH FOURTH ADDITION, according to the record plat thereof, Dakota County, Minnesota.

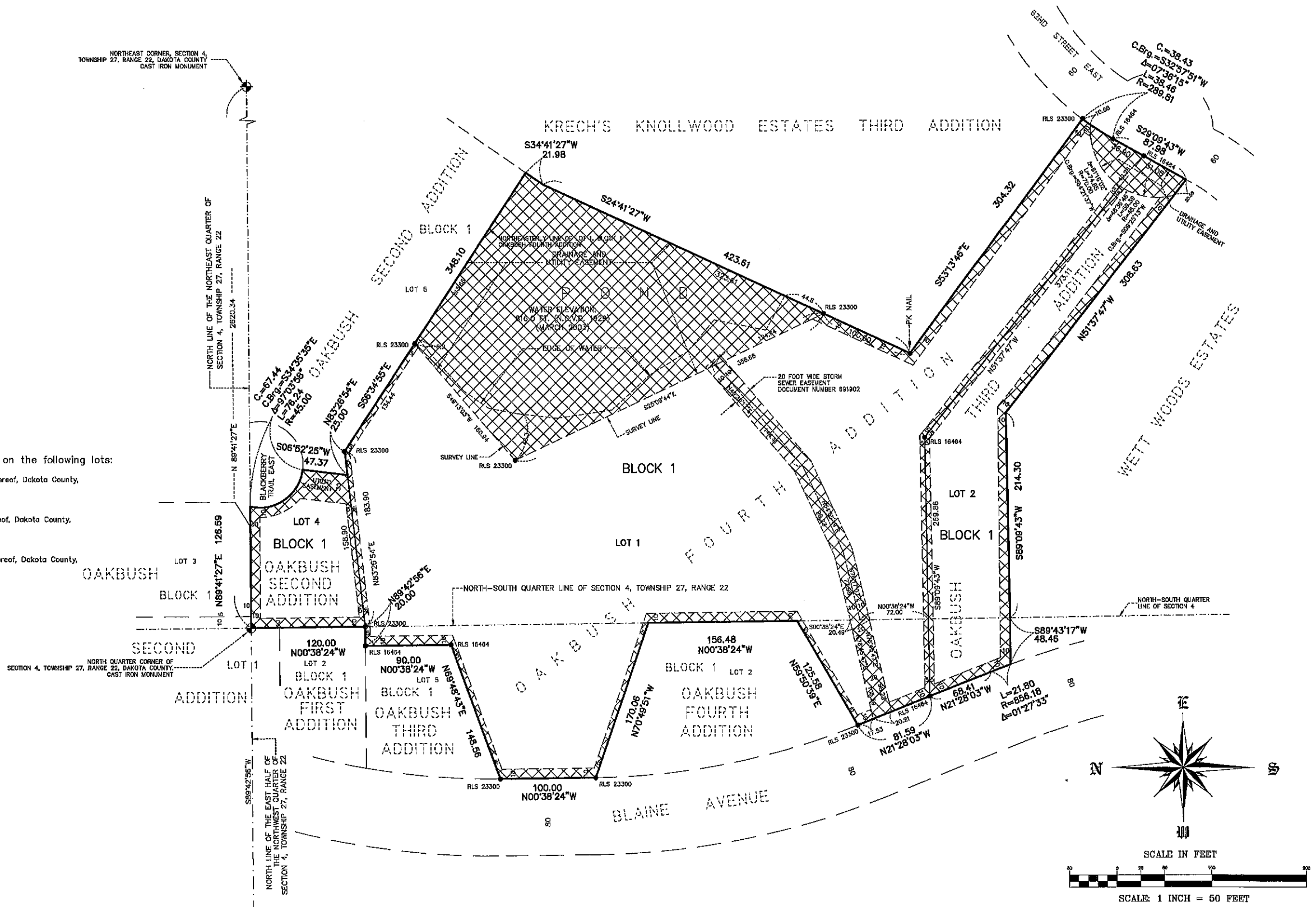
BASIS OF BEARINGS:
THE NORTHEASTLY LINE OF LOT 1, BLOCK 1 OAKBUSH FOURTH ADDITION,
IS ASSUMED TO BEAR NORTH 56 DEGREES 34 MINUTES 55 SECONDS WEST.

LEGEND

- DENOTES DAKOTA COUNTY SECTION MONUMENT FOUND, TYPE AS NOTED
- DENOTES 14 INCH X 5/8 INCH REBAR MONUMENT SET AND CAPPED RLS 16464.
- DENOTES IRON MONUMENT FOUND, SIZE, TYPE, AND RLS AS NOTED

TOTAL AREA: 331,912 SQ FT OR 7.62 ACRES

BASIS OF BEARINGS: DAKOTA COUNTY COORDINATES NAD83 (1886 ADJUSTMENT)



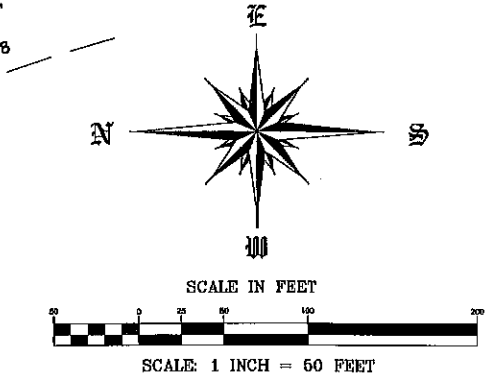
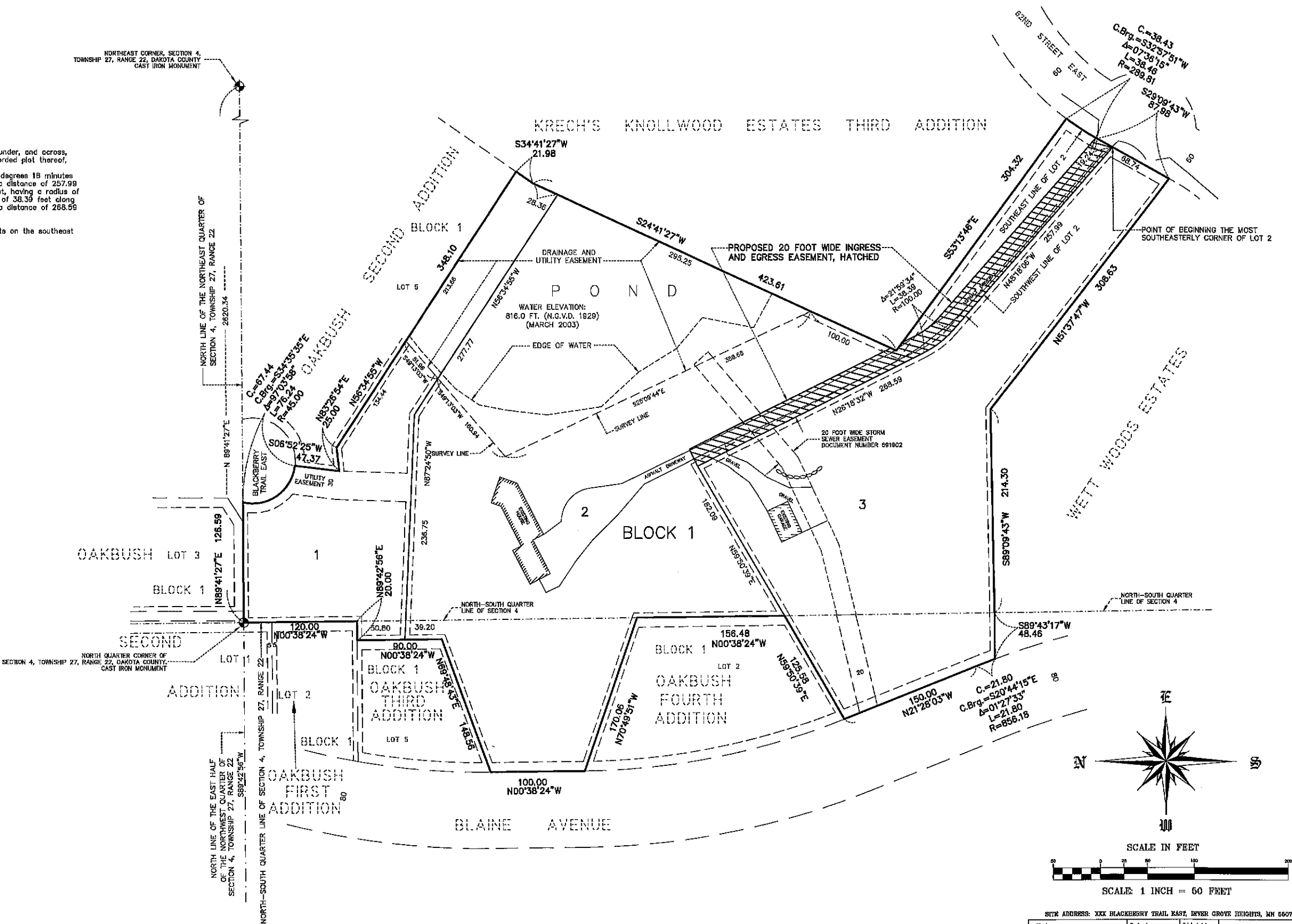
SITE ADDRESS: XXXX BLACKBERRY TRAIL EAST, INVER GROVE HEIGHTS, MN 56076			
Client	Design by	Original Date	I hereby certify that this map, specification and report were prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota. My License No. is 16464.
MR. MARK SOLOS 2008 NW 4700 PLAZA C-100, SUITE 100 PHONE: 651-795-5341	Drawn by	1-25-21	
	Survey book No.		
	SAF number	2021.016	
LAKE AND LAND SURVEYING, INC. 1800 CENTRE POINTS CURVE, STE 205 MINNETONKA, MN 55345 PHONE: (612) 776-4500 E-MAIL: JEFF@LAKEANDLAND.COM		Page Title	EASEMENT VACATION
		Sheet number	1 of 1

PROPOSED INGRESS AND EGRESS EASEMENT

PROPOSED INGRESS AND EGRESS EASEMENT

A 20 foot wide permanent easement for ingress and egress purposes over, under, and across, that part of Lot 2, Block 1, OAKBUSH FIFTH ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, lying northeasterly of the following described line: Beginning at the most southeasterly corner of said Lot 2; thence North 48 degrees 18 minutes 06 seconds West, assumed bearing, along the southwest line of said Lot 2 a distance of 257.99 feet; thence northwesterly along a tangential curve, concave to the northeast, having a radius of 100 feet, a central angle of 21 degrees 59 minutes 34 seconds, a distance of 38.59 feet along said southwest line; thence North 26 degrees 18 minutes 32 seconds West a distance of 268.59 feet along said southwest line and said line there terminating.

The side line of said easement shall be prolonged and shortened to terminate on the southeast line of said Lot 2.



SITE ADDRESS: XXX BLACKBERRY TRAIL EAST, INVER GROVE HEIGHTS, MN 56078			
Client	Design by	Original date	I have verified this plat and find it correct and true to the original survey and to the records of the State of Minnesota. My commission expires on 1-28-21. Minnesota Reg. No. 16464
MR. MARK SOLOS 2328 HWY 43RD PLACE SAPS CROSS, IL 60063 PHONE: 631-769-3341	Drawn by	Revised	
	ALP		
	Survey book No.		
LAURE AND LAND SURVEYING, INC. 1200 CROWN POINT CURVE, STE 305 MINNETONKA, MN 55330 PHONE (952) 798-4201 E-MAIL: JON@LAUREANDLAND.COM	S.A.P. number		Page title
	2021/06		INGRESS AND EGRESS EASEMENT
			Sheet number of



Request for Council Action

TITLE: Consider the Application of an On-Sale, 2 am Liquor, and Sunday Liquor License for Los Portales Bar & Grill LLC.

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Public Hearing	Amount included in current budget	
Contact:	651-450-2513	Budget amendment requested	
Prepared by:	Rebecca Kiernan City Clerk	FTE included in current complement	
Reviewed by:	Heather Rand	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Consider the application of an On-Sale, 2 am Liquor and Sunday Liquor License for Los Portales Bar & Grill, LLC for the premises located at 5816 Blaine Ave Inver Grove Heights, MN 55076 (Located in the El Azteca restaurant space).

SUMMARY:

Los Portales Bar & Grill, LLC has applied for an On-Sale, 2 am Liquor and Sunday Liquor License for Los Portales Bar & Grill for the premises located at 5816 Blaine Ave. The Police Department conducted the requisite background investigation on the applicants and found no basis for the denial of the request. The fees and certificate of insurance has been received. The public hearing was published in the April 11, 2021 issue of the Pioneer Press.

RECOMMENDATION:

Staff recommends approval of all licenses; however, actual issuance of the license(s) would be contingent upon fulfilling all requirements to hold an On-Sale, 2 am Liquor and Sunday Liquor License through the Minnesota Alcohol & Gambling Enforcement Division, and the satisfactory and inspections approvals from the Fire and Building Departments.

ACTION REQUIRED:

Conduct a public hearing and if Council concurs with the staff recommendation, they should pass a motion approving the Liquor License application for Los Portales Bar & Grill, LLC for an On-Sale, 2 am Liquor and Sunday Liquor license through the Minnesota Alcohol & Gambling Enforcement Division, and the satisfactory inspections and approvals from the Fire and Building Departments.

**Request for Council Action****Continued Public Hearing to Consider a Resolution Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2020-06 Good Samaritan Pond (1301 50th St.)**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Regular	Amount included in current budget	
Contact:	Jake Moser, 651-450-2489	Budget amendment requested	
Prepared by:	Jake Moser, Civil Engineer	FTE included in current complement	
Reviewed by:	Thomas J. Kaldunski, City Engineer	New FTE requested - N/A	
	Klay Eckles, Interim Public Works Director	Other: Stormwater Utility Fund, Special Assessments	X

PURPOSE/ACTION REQUESTED

Continued Public Hearing to Consider a Resolution Ordering Project and Authorizing Preparation of Plans and Specifications for City Project No. 2020-06 Good Samaritan Pond (1301 50th St.)

SUMMARY

On March 8, 2021, City Council received the feasibility report and scheduled a Public Hearing for the improvements for April 12, 2021. Notice of the public hearing was mailed and published as required by Minn. Stat. Cha. 429. On April 12, 2021 Council opened the public hearing and continued the hearing to April 26, 2021.

The feasibility report recommends a regional stormwater basin outlet and pipe reconstruction project. The total estimated project cost is \$336,293 with \$160,592 in estimated assessments for storm water improvements (48% of the storm costs), for City Project No. 2020-06.

Project funding is proposed based on 50% of the project cost funded through special assessments and 50% funded by the Stormwater Utility Fund. Assessment amounts were calculated by dividing the assessed amount among properties based on the percentage increase in runoff volume from a 100-year rainfall event, in a pre-development vs. post development model. Each property in the assessment roll is of different a size, and each property has different runoff volume impacts, so assessment amounts vary significantly from one parcel to another.

Staff held virtual informational meetings with affected property owners on February 25th and April 1st of 2021 to present the feasibility report recommendations, the proposed preliminary assessments, and receive feedback prior to the improvement hearing. Representatives from three (3) of the six (6) affected property representatives attended the meetings with general support for the project. Staff addressed questions on funding, assessments, construction impacts and benefits of the project. The owners of the parcel leased to Home Depot have been in correspondence with Engineering staff, and project information has been provided.

I recommend continuing with the Public Hearing, approving the resolution ordering the project and authorizing preparation of plans and specifications for City Project No. 2020-06 Good Samaritan Pond (1301 50th St.).

JM

Attachment(s): Resolution
 Project Area Map
 Preliminary Assessment Roll
 Preliminary Assessment Map

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

**RESOLUTION ORDERING IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND
SPECIFICATIONS FOR CITY PROJECT NO. 2020-06 GOOD SAMARITAN POND (1301 50TH ST.)**

RESOLUTION NO. _____

WHEREAS, a resolution passed by the City Council on March 8, 2021, called for a public hearing on the proposed improvement project, City Project No. 2020-06 Good Samaritan Pond (1301 50th St.); and

WHEREAS, published notice was given pursuant to Minnesota Statute 429.031, and a public hearing was held thereon on April 12, 2021, at which time City Council continued the hearing to April 26, 2021; and

WHEREAS, the continued public hearing was held on April 26, 2021, at which time all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. City Project No. 2020-06 Good Samaritan Pond (1301 50th Street) is hereby ordered as proposed in this Council resolution adopted April 26, 2021.
2. The city's planning commission has reviewed the proposed project and reported in writing to the Council its findings as to compliance of the proposed improvement with the comprehensive municipal plan.
3. Project contract documents (plans and specifications) are authorized to be prepared by Staff and Barr Engineering Co.
4. The contract for these improvements shall be let no later than three years after the adoption of this resolution.
5. The project is being funded by Special Assessments and the Stormwater Utility Fund.

Adopted by the City Council of Inver Grove Heights, Minnesota this 26th day of April 2021.

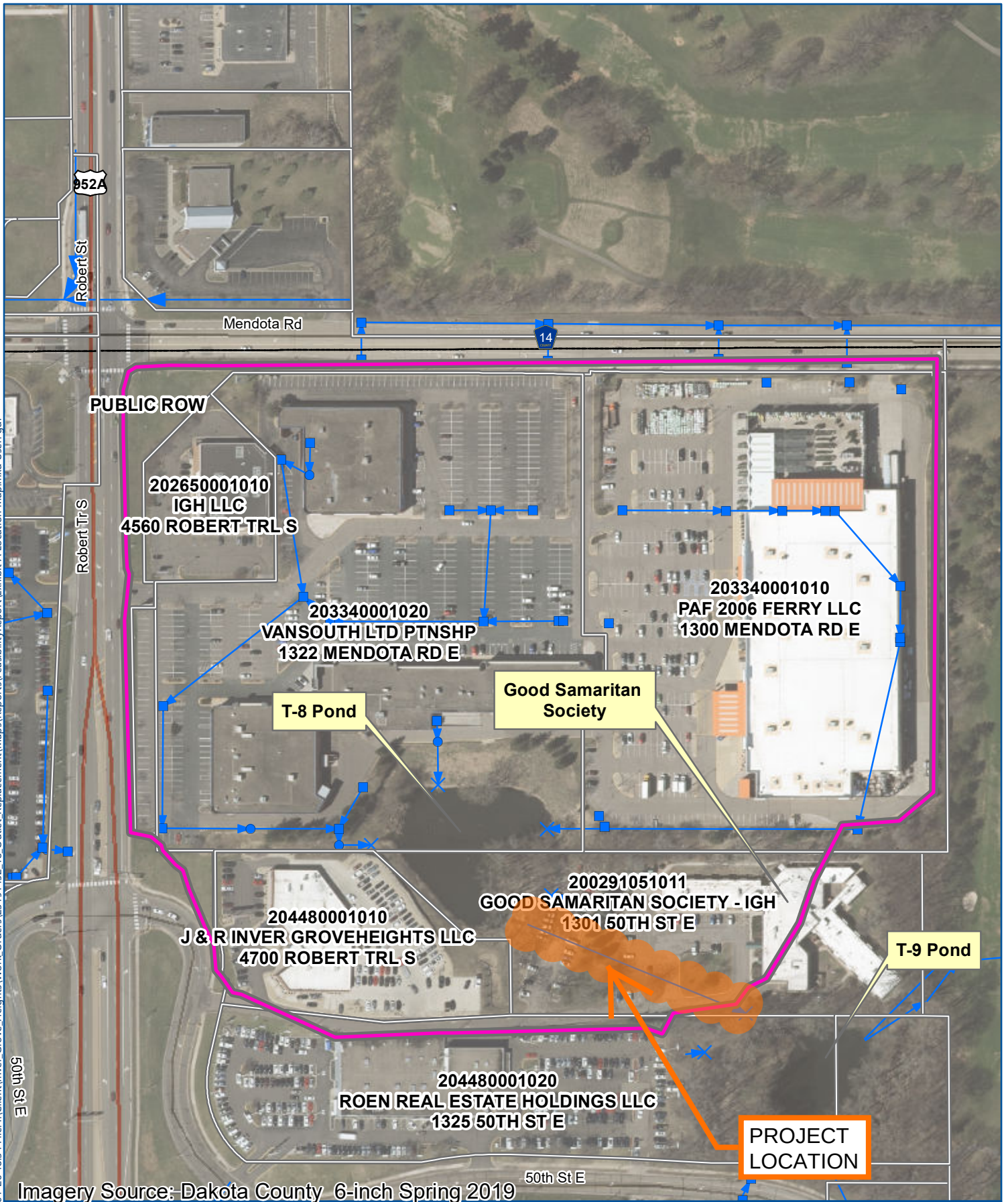
AYES:

NAYS:

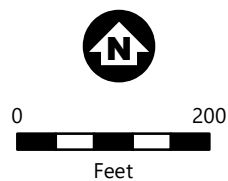
ATTEST

Tom Bartholomew, Mayor

Rebecca Kiernan, City Clerk



- Storm Sewer
- Catch Basin
- Flared End
- Contributing Area
- Parcels



LOCATION MAP
City Project 2020-06
Good Samaritan Pond
(1301 50th Street)
EXHIBIT A

CITY PROJECT NO. 2020-06 - GOOD SAMARITAN POND (1301 50TH STREET)

PRELIMINARY ASSESSMENT ROLL

MAP NO.	PID NO.	PROPERTY TYPE	OWNER NAME	SITE ADDRESS	SITE STREET NAME	COMPANY NAME	% INCREASE RUNOFF VOLUME (100-YEAR EVENT)	PRELIMINARY PROPOSED ASSESSMENT	ASSESSMENT PER SQFT OF PARCEL AREA
1	202650001010	COMMERCIAL	IGH LLC	4560	ROBERT TRL S	WALGREENS	4%	\$7,113.14	\$0.15
2	203340001020	COMMERCIAL	VANSOUTH LTD PTNSHP	1322	MENDOTA RD E	SOUTHRIDGE SHOPPING CENTER	34%	\$57,122.35	\$0.13
3	203340001010	COMMERCIAL	PAF 2006 FERRY LLC	1300	MENDOTA RD E	HOME DEPOT	46%	\$76,705.72	\$0.18
4	204480001010	COMMERCIAL	J & R INVER GROVE HEIGHTS LLC	4700	ROBERT TRL S	LAMETTRY'S COLLISION CENTER	3%	\$5,590.35	\$0.06
5	200291051011	COMMERCIAL	GOOD SAMARITAN SOCIETY - IGH	1301	50TH ST E	INVER GROVE CARE CENTER	7%	\$12,417.68	\$0.07
6	204480001020	COMMERCIAL	ROEN REAL ESTATE HOLDINGS LLC	1325	50TH ST E	INVER GROVE VW	1%	\$1,642.92	\$0.01
NA	NA	CITY/ROW	CITY OF INVER GROVE HEIGHTS	NA	50TH ST/HWY 3	CITY OF INVER GROVE HEIGHTS	4%		NA
							100%	\$160,592.16	

Mendota Road

Robert Trail

1

2

3

Pond T-09-02

4

5

6

50th Street E.



07/02/2020

City Project No. 2020-06
Good Samaritan Pond (1301 50th St) - Outlet Pipe Replacement
Preliminary Assessment Map

THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, 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

**Request for Council Action**

TITLE: Consider Approval of Renewal Rental License with Conditions for 6930 Crosby Ave. Property

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	x
Item Type:	Regular-Administration	Amount included in current budget	
Contact:	Melissa Chiodo, Chief of Police	Budget amendment requested	
Prepared by:	Nicole Cook, Rental and Code Compliance Coordinator	FTE included in current complement	
Reviewed by:	Bridget Nason, City Attorney	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The single family residence located at 6930 Crosby Street (Rental Property) was purchased in 2019 by Twelve Thirteen Properties LLC (Twelve Thirteen Properties). On April 5, 2019, Twelve Thirteen Properties applied for and was issued a rental license for the Residence. The term of that initial rental license ran from April 23, 2019 through March 31, 2021. On January 22, 2021, Twelve Thirteen Properties applied for a renewal rental license for the Property.

Chapter 13 of the Inver Grove Heights City Code establishes a rental licensing program for rental properties within the City, including requirements for issuance of rental licenses and grounds for the denial, revocation, or issuance of a rental license with conditions. Upon review of the number and type of police calls to the Rental Property over the past 20 months (21 total calls, many related to drug/criminal activity), I would recommend that the renewal license application be granted subject to the following conditions:

1. Within ten (10) days of issuance of this license, Owner shall:
 - i. Verify in writing and upon oath that it is requiring the Minnesota crime free lease addendum or its equivalent as part of its leases for existing leases, and will continue to require the Minnesota crime

free lease addendum or its equivalent for all leases going forward;
and

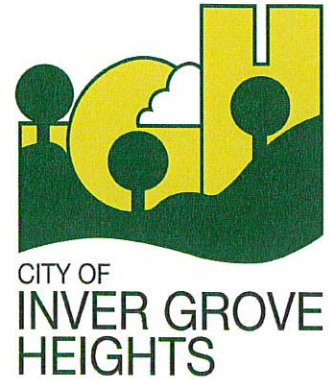
- ii. Provide current copies of all information required by Chapter 13 of the City Code for issuance of a rental license.
2. Owner shall have no rental license or other ordinance violations at the Property, and the property shall not be the subject of excessive police and nuisance enforcement services, as that term is defined in Chapter 15 of the City Code.
3. Owner shall cooperate with the Police Department to resolve drug and other illegal activity on the Property.

A representative of the police department will schedule a meeting with Jacob Mildon regarding the on-going concerns related to the Property, and will provide Mr. Mildon with a copy of the City's ordinance related to Excessive Consumption of City Services.

SUMMARY:

Consider approval, with conditions, of rental license application for 6930 Crosby Ave. property.

Memo



To: Mayor and Members of the Council

From: Chief Chiodo

cc: Nicky Cook

Date: 04/9/2021

Re: 6930 Crosby Avenue

I received a call from a council member that residents of Inver Grove Heights that live near 6930 Crosby Avenue were concerned about behaviors going on at the home which is a rental property. I pulled the 911 calls from calendar years 2019, 2020, and 2021 and found that police responded to that residence 21 times. This is an unusually high number of police calls to one residence so I researched what the calls were for. One call was a medical call, and the remaining calls were for problems caused by the tenants or their guests that ranged from robbing someone in a nearby park while armed with a gun, drug use and assault with a knife to name a few. I have listed all the calls below.

19-017019 6930 Crosby Ave MISC 7/1/2019 Investigation

19-019506 6930 Crosby Ave AOA 7/26/2019- Arrested an Adult for another police agency at this address

19-019769 6930 Crosby Ave Follow Up 7/9/2019- Officers looking for a male at the house with an arrest warrant

19-021336 6930 Crosby Ave PROB 8/14/2019 Officers conducted a check up on an individual at the home for their probation officer

19-021410 6930 Crosby Ave WARR 8/15/2019 Officers served a warrant at the home for a resident with an active warrant

19-025162 6930 Crosby Ave 911 HANGUP CALL 9/24/2019 -male claimed he was sanitizing phone and made the call

19-029724 6930 Crosby Ave SUSP 11/15/2019-vehicle parked in front of house occupied and people coming up to it then leaving for last 20 minutes

19-031406 6930 Crosby Ave CKWEL 12/06/2019 A juvenile outside at this address told a neighbor she was dropped at this address and was allegedly visiting her father inside and she had not been to school in over a year, she could not get in the address, so the neighbor called police to check on her.

19-032960 6930 Crosby Ave MED 12/15/2019 male inside seizing and foaming at the mouth

20-004116 6930 Crosby Ave DISTURBING PEACE/D (DIST) 2/8/2020

20-004117 6930 Crosby Ave MISCELLANEOUS OTHER (MISC) related to Disturbing the Peace Call, return call for follow up on 2/8/20

20-008283 6930 Crosby Ave MEDICAL (MED) 3/17/2020

20-011323 6930 Crosby Ave SUSPICIOUS PERSON (SUSP) 4/24/2020 Uber Driver arrived to pick up person and they were a no show

20-011858 6930 Crosby Ave ASSAULT (ASLT) 5/1/2020 - roommates fought, and one cut the other with a knife while fighting, one booked into jail for assault

20-020735 6930 CROSBY Ave WARRANT SERVICE (WARR)- 7/27/2020 Multiple Felony Warrants served on tenant for terroristic threats, Threats of Bodily Violence. One booked into jail.

20-021222 6930 Crosby Ave DRUG ACTIVITY (DRUG), 8/1/2020, roommate smoking methamphetamines in the home. Criminal Citation Issued

20-021279 6930 Crosby Ave CIVIL/ASSIST (CIVIL) 8/12/2020 -911 Caller claimed he needs his medications out of this halfway house and wanted police to assist him going inside. There were 3 people in the home waiting to assault the tenant that wanted his medications. A report was completed for a vulnerable adult.

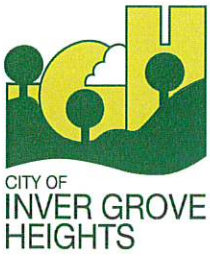
20-024581 6930 Crosby Ave MUTUAL AID/ASSIST (AOA) 9/2/2020, Assist Another Agency, help the court system notify the tenants that one resident was being sent back to St. Cloud Prison to finish out their prison sentence.

20-028923 6930 Crosby Ave ROBBERY (ROB) 10/15/2020-A woman who had been in the park was the victim of an armed robbery by a male under the influence of something. She observed him go into 6930 Crosby Avenue and then leave in a car. Police Report Filed.

21-000226 6930 Crosby Ave WARR 01/03/2021 Police Served a warrant for Felony Violation of a domestic abuse no contact order and probation violation at this residence

21-001772 6930 Crosby Ave AOA 1/18/2021 Officers were looking for a possible resident who was the subject of a KOPS Alert-terroristic threats with a weapon towards a mother and child

When the officers have dealt with the individuals in this home, they have reported it to be a "halfway" house for those getting out of jail or prison. After doing some research I found that this home is not registered to be any type of treatment or rehabilitation type facility. I have serious concerns about the safety of this neighborhood due to this property and the people that have been residing at it as a rental property.



**COMMUNITY
DEVELOPMENT
DEPARTMENT**

8150 Barbara Avenue
Inver Grove Heights
Minnesota 55077

651-450-2500

www.ighmn.gov

April 15, 2021

TWELVE THIRTEEN PROPERTIES LLC
JAKE MILDON
5865 NEAL AVE N #310
STILLWATER, MN 55082

RE: 6930 CROSBY AVE

Dear Property Owner:

Thank you for submitting your renewal application for a rental license.

You are hereby notified that the City Council will consider your rental license application for the above-mentioned property at its regularly-scheduled Council Meeting on Monday, April 26, 2021 at 7:00 p.m. in the Inver Grove Heights City Council Chambers located at 8150 Barbara Avenue, Inver Grove Heights, Minnesota. At that meeting, Staff will recommend that the license application be approved subject to the imposition of certain reasonable conditions to address a concerning number of police calls to the property over the past twenty months. A copy of the proposed resolution of approval, including the recommended conditions of approval, is included with this letter. You have the right to attend the hearing and to be heard prior to the Council making a decision regarding your application.

At the hearing, you have the right to be represented by counsel, the right to respond to the charges, the right to present evidence through witnesses under oath and the right to confront and cross-examine witnesses under oath. Following the hearing, the City Council may take any of the following actions:

- (a) Approve the license;
- (b) Deny the license;
- (c) Approve the license but include reasonable conditions to the license; or
- (d) Approve the license as a provisional license and approve a mitigation plan.

The decision by the City Council following a hearing is final. If you have any questions regarding this matter, please contact me before the April 26th council meeting.

Respectfully,

Nicole Cook
651-450-2491
ncook@ighmn.gov

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY MINNESOTA
RESOLUTION NO. _____**

**A RESOLUTION APPROVING A RENEWAL RENTAL LICENSE WITH
CONDITIONS FOR THE PROPERTY LOCATED AT 6930 CROSBY AVE.**

WHEREAS, Inver Grove Heights City Code Chapter 13 establishes license requirements for rental properties within the City and authorizes the City Council to approve, deny, or approve a license with reasonable conditions; and

WHEREAS, the property located at 6930 Crosby Ave. (Property) is owned by Twelve Thirteen Properties LLC; and

WHEREAS, the Owner has applied for a renewal rental license for the Property; and

WHEREAS, due to the excessive number of police calls and responses to the Property (twenty-one responses in less than two years) and the types of conduct constituting the basis for many of those calls, and upon recommendation of the Chief of Police, significant concerns exist with respect to this rental Property related to the protection of the health and safety of tenants and neighbors; and

WHEREAS, City Code Section 4-13-8 authorizes the issuance of a rental licensed with reasonable conditions when deemed appropriate by the City Council; and

WHEREAS, staff recommend that the rental license renewal application for the 6930 Crosby Ave. property be approved, provided that certain conditions are imposed on the license to address concerns related to the excessive number of police calls to the Property.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Inver Grove Heights, Minnesota as follows:

1. The City hereby **APPROVES** the renewal rental license application for the rental property located at 6930 Crosby Ave. subject to the following conditions:
 - a. Within ten (10) days of issuance of this license, Owner shall:
 - i. Verify in writing and upon oath that it is requiring the Minnesota crime free lease addendum or its equivalent as part of its leases for existing leases, and will continue to require the Minnesota crime free lease addendum or its equivalent for all leases going forward; and
 - ii. Provide current copies of all information required by Chapter 13 of the City Code for issuance of a rental license.

- b. Owner shall have no rental license or other ordinance violations at the Property, and the property shall not be the subject of excessive police and nuisance enforcement services, as that term is defined in Chapter 15 of the City Code.
 - c. Owner shall cooperate with the Police Department to resolve drug and other illegal activity on the Property.
2. Owner is hereby advised that failure to comply with the terms of this conditional rental license approval, as well as all of the applicable provisions of Chapter 13 of the City Code, may constitute grounds for suspension or revocation of the rental license for the Property.

This resolution is passed and adopted by the City Council of the City of Inver Grove Heights, Dakota County, Minnesota this 26th day of April, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____
Thomas Bartholomew
Its: Mayor

Attested:

By: _____
Rebecca Kiernan
Its: City Clerk

**Request for Council Action****TITLE:** City of Inver Grove Heights/fence ordinance - Case No. 21-14ZA

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Heather Botten 651-450-2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED: Consider the Second Reading of an Ordinance to allow fences to be 48 inches in height within the front yard area of a lot.

- Requires a 3/5th's vote.
- 60-day deadline: N/A

SUMMARY:

The City Council approved the first reading of the ordinance amendment at the April 12, 2021 meeting with the recommendation that all front yard fences could go up to 48 inches in height, with no less than 75% clear visible opening.

Currently the fence code (Section 10-15-12), allows a maximum height of 42 inches with no less than 75% clear visible opening within the front and corner front yards.

Staff believes the maximum fence height requirement of 42 inches in the front yard is for public safety and likely stems from the MNDOT Road Design Manual that states that the assumed height of both the driver's eye and the object to be seen are 3-1/2 feet above the respective roadway surfaces. Another reason could be aesthetics of uniformity and visual appeal.

At the April 12, 2021 meeting, City Council discussed the current requirements and agreed that the size and height of vehicles have increased over the years. To promote a more aesthetically appealing look, a 48-inch fence, with 75% clear visible opening, would be an acceptable maximum height for fencing in all front yards, not only on corner front yards.

RECOMMENDATION:

Planning Staff: Recommends approval of the second reading of the ordinance amendment as proposed.

Attachments: Draft Ordinance Language - 2nd Reading

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, CHAPTER 15, SECTION 12B.1, CHANGING THE MAXIMUM FENCE
HEIGHT WITHIN THE FRONT YARD**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 10, Chapter 15-12, **FENCES**, of the Inver Grove Heights City Code is hereby amended to add and remove the following:

B. Yard Fences:

1. Fences in the front yard area shall provide no less than seventy five percent (75%) clear visibility ~~within forty two inches (42") of the ground~~ and shall be no higher than ~~forty two~~ forty eight inches (~~42"~~ 48"), plus two (2) additional inches for clearance at the ground line. All fences constructed in other areas than the front yard and corner lot side yard clearance areas may be no more than seven feet (7') in height. Fences in riparian yards shall be no higher than forty-two inches (42"), plus two (2) additional inches for clearance at the ground line.

Section Two. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

Passed in regular session of the City Council on the ____ day of _____, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____
Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

**Request for Council Action****TITLE:** Ryan Ihle - Case No. 21-20V

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Heather Botten 651-450-2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED: Consider a Resolution relating to a Variance from side yard setbacks for a garage addition for the property located at 7755 Boyd Avenue.

- Requires a 3/5th's vote.
- 60-day deadline: June 22, 2021 (second 60-days)

SUMMARY:

The applicant is requesting to construct a 5.5' x 32' addition onto the existing attached garage. Currently the property has a single stall attached garage and the homeowner would like to expand it to a two-stall garage. Typically, a garage would require a five-foot side yard setback. In this case, however, the lot was platted with a six-foot drainage and utility easement, therefore, the addition would have to be located out of the six-foot easement. Reviewing the site plan that was submitted by the applicant and aerial photos, it appears that the addition could be as close as 1-2 feet from the property line. If the variance is approved a condition of approval would be to hire a registered surveyor to verify the garage and all overhangs would not encroach over the property line.

Staff believes that setback standards are not precluding the homeowner from reasonable use of the property, the lot does have a single stall attached garage. The request for the building addition could be considered a convenience to the applicant and not a practical difficulty. If desired, the applicant could construct a 1,000 gross square foot detached accessory building on the property.

Planning Staff: Staff recommends denial of the variance request as the conditions of the property are not unique and approval of the variance could set a precedent for other requests to encroach into the side setbacks. Staff believes the facts presented do not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance.

Planning Commission: At the April 6th, 2021 public hearing, the Commission recommended denial of the variance request stating the facts presented did not satisfy the criteria needed to show a practical difficulty (8-0).

Attachments: Denial Resolution
PC recommendation
Planning staff report

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

RESOLUTION NO. _____

**RESOLUTION DENYING A VARIANCE FOR A GARAGE ADDITION TO ENCROACH
INTO THE SIDE SETBACK**

**CASE NO. 21-20V
Ihle**

7755 Boyd Avenue and legally described as follows:

Lot 4, Block 1, Rolling Hills, according to the recorded plat, Dakota County, Minnesota

WHEREAS, an application has been received for a Variance to allow a garage addition to encroach within the side setback;

WHEREAS, the afore described property is zoned R-1C, Single-family Residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on April 6, 2021 in accordance with City Code Section City Code 10-3-3:C;

WHEREAS, a practical difficulty or uniqueness was not found to exist based on the following findings:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for other side yard setback encroachments.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Adding on to the

existing single stall garage appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to add a garage addition within the side yard setback is hereby denied.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: April 6, 2021

SUBJECT: **RYAN IHLE - CASE NO. 21-20V**

Reading of Notice

Commissioner Weber read the public hearing notice to consider the request for a variance from setbacks for a garage addition, for the property located at 7755 Boyd Avenue. 6 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to construct a 5.5' x 32' addition onto the existing attached garage. Currently the property has a single stall attached garage and the homeowner would like to expand it to a two-stall garage. Typically, a garage would require a five-foot side yard setback. In this case, however, the lot was platted with a six-foot drainage and utility easement, therefore, the addition would have to be located out of the six-foot easement. Reviewing the site plan that was submitted by the applicant and aerial photos, it appears that the addition could be as close as 1-2 feet from the property line. If the variance is approved a condition of approval would be to hire a registered surveyor to make sure the garage and all overhangs would not encroach over the property line. If desired, the applicant could construct a 1,000 gross square foot detached accessory building on the property. Staff believes that denying the variance would not preclude the applicant from reasonable use of the property, approval of the variance could set a precedent, and there is lack of a practical difficulty. Staff recommends denial of the request as presented. Staff heard from one neighbor who sent the email that was included in the packet. Their concern was that the garage would go over the property line, which would be a condition of approval.

Commissioner Simon advised that she had resolved her connection issues.

Opening of Public Hearing

Roland Braucks, 4041 Tenth Avenue South, Minneapolis, Production Manager, advised he was available to answer any questions.

Chair Niemioja asked Mr. Braucks if he read and understood the report.

Mr. Braucks replied in the affirmative and asked how large a detached structure would be allowed if they could not do the garage addition.

Ms. Botten replied that a property in this zoning district would be allowed up to a 1,000 gross square foot detached garage.

Chair Niemioja closed the public hearing.

Recommendation to City Council

April 6, 2021

Page 2

Planning Commission Discussion

Chair Niemioja stated that she did not see a practical difficulty.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Maggi, to deny the request for a variance from setbacks for a garage addition, for the property located at 7755 Boyd Avenue.

Motion carried (8/0). This item goes to the City Council on April 26, 2021.



PLANNING REPORT

CASE NO: 21-20V

APPLICANT: Ryan Ihle

PROPERTY OWNER: Keith and Kyrstin Schwartz

REQUEST: Variance from the side yard setback

HEARING DATE: April 6, 2021

LOCATION: 7755 Boyd Avenue

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: R-1C, Single Family Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is requesting a 5 ½ foot x 32 ½ foot addition onto the existing attached garage. The property has a single stall attached garage; the homeowner would like to convert it into a two-stall garage. Typically, a garage addition would require a five-foot setback from the side property line in the R-1C zoning district. In this case, the lot was platted with a six-foot drainage and utility easement, therefore the addition would have to be located out of the easement. Reviewing the site plan submitted by the applicant and aerial photos, it appears the proposed addition could be as close as 1-2 feet from the side property line. If the variance is approved, a condition of approval would be to hire a registered surveyor to mark the property boundary.

EVALUATION OF THE REQUEST

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

North: Single family; zoned R-1C; guided LDR

East: Single family; zoned R-1C; guided LDR

West: Single family; zoned R-1C; guided LDR

South: Single family; zoned R-1C; guided LDR

VARIANCE

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

In addition to the required five-foot zoning setback, the property also has a six-foot drainage and utility easement that runs along the side property line. Even though the applicant is complying with other setback requirements and zoning code requirements, staff does not believe the variance request is consistent with, or in harmony with the city code.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

Setback standards are not precluding the homeowner from reasonable use of the property, the lot does have a single stall attached garage. If desired, the applicant could construct a 1,000 gross square foot detached accessory building on the property.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

Although a single stall garage is not very common, converting it into a double garage may be for the convenience of the property owner and not dictated by unique circumstances of the property.

4. *The variance will not alter the essential character of the locality.*

One of the functions of setback requirements is to maintain consistency of structure placement and aesthetic qualities from street and neighboring views. The neighborhood, developed in the 70's, all have similar home placement and setbacks. Approving an encroachment into the side setback could set a precedent for other home additions.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

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 action should be taken:

- Approval of the **Variance** to construct a garage addition within the side yard setback subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. Final site, grading, impervious surface, storm water management, and erosion control plans shall be approved by the City Engineer.
 3. The north property line shall be verified by a registered land surveyor. No part of the garage or overhang shall cross over the property line.
 4. Prior to construction, an \$1,500 engineering escrow shall be paid to the City and an encroachment agreement shall be entered into between the City and property owner.

Hardship: To be stated

B. Denial. If the Planning Commission does not favor the proposed variance request, it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for other side yard encroachments on R-1C property.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Allowing the garage addition within the setback appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

RECOMMENDATION

Staff does not believe the criteria for a variance has been shown and therefore for the reasons listed in alternative B staff is recommending denial of the proposed variance request.

Attachments: Zoning and Location Map
Narrative
Site Plan

Map not to scale

Hi Heather,

We are asking for a variance for the property, 7755 Boyd Ave E., IGH, MN, 55076. The owners of the property would like to extend their garage northward toward the property 7745 Boyd Ave E., IGH, MN, 55076. This would make their single wide garage a double wide with a standard sixteen foot garage door. The addition would be closer to the adjoining property than the five foot set back required in the city of Inver Grove Heights. A survey would be done upon granting of the variance so as to be sure no lines are crossed.

Thanks .

Three Rivers Contracting

Ryan Trice

ryan.trice@gmail.com

651-214-6640

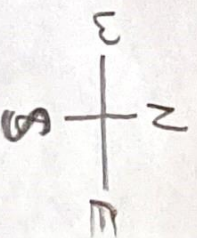
Property Information Search

Quick Survey

Search Address or Parcel ID



7745 Boyd Ave E
IGH MN 55075



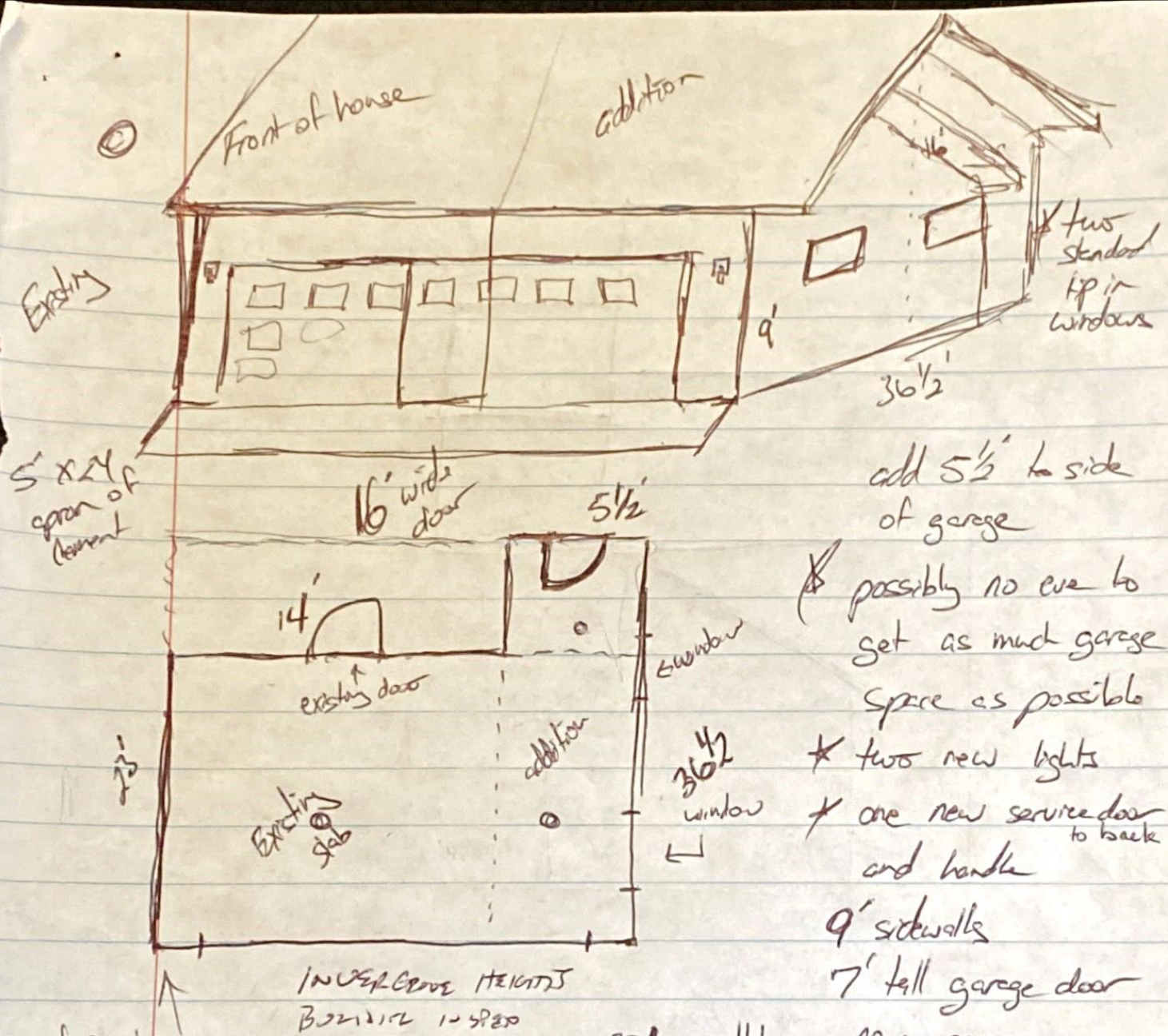
5' line

Proposed garage
Addition

Existing house + garage

7755 Boyd Ave E
IGH MN 55075





question
what needs to
be brought
up to side in corner
2x4 2x6?

extra 12x9 cement
to be removed

Keith
Schwartz

7755 Bond Ave
16H, MN 55076

20 Amp outlets
added to garage
~~padding~~
no insulation
no sheetrock
gutter on front
& back of house
& new downspouts
3/8 plywood soffit
1x6 cedar fascia

New opener
2.1:11 plywood siding
with 1x3 cedar
customer to do all painting
non insulated 16' garage
door
add two more light
fixtures
electrical to be done by
Ryan

From: [Sue Weller](#)
To: [Kim Fox](#)
Subject: Case #21-20V
Date: Thursday, April 01, 2021 8:48:48 AM

I live next to the house that wants to build a garage up to the property line.

I have one request, that nothing goes over the property line including the roof of the garage. I don't want the eave or the gable end of the roof to extend over the property line.

If you have questions please let me know, also please let me know that you received my email.

Thank you,

Suzette Weller
7745 Boyd Ave
IGH, MN 55076

651-216-6696

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.

**Request for Council Action****TITLE:** Kiehm Construction

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Allan Hunting 651-450-2554	Budget amendment requested	
Prepared by:	Allan Hunting	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Consider the following for property located at 2660 50th Street:

1) A Resolution relating to a Conditional Use Permit Amendment for a contractor's shop with outdoor storage.

- Requires a 4/5th's vote.

2) A Resolution relating to a Variance to allow a building with a 10 foot setback along the rear property line.

- Requires a 3/5th's vote.
- 60-day deadline: May 7, 2021 (first 60 days)

SUMMARY:

In 2019 Council approved a conditional use permit for a contractor's yard and a setback variance from Blaine Avenue for a landscape design and installation business. The property was also rezoned to I-1 at that time. The applicant is proposing some modifications to the site plan including moving the building further south on the property and putting the parking area in front of the building. The building would still be utilizing the approved ten foot setback from Blaine Avenue. The applicant is proposing to construct a 5,088 square foot building for landscape business. A Variance is also needed for the building to be located 10 feet from the south property line.

ANALYSIS:

- Project still complies with all performance standards. Project should begin this spring.
- Property abuts Hwy 494 right-of-way. Variance would not impact any abutting neighbors. Building would be further away from 50th street.
- Small operation with two work trucks. No retail sales.

RECOMMENDATION:

Planning Staff: Recommends approval of the CUP amendment and Variance as presented.

Planning Commission: Also recommended approval (8-0).

Attachments: Conditional Use Permit Amendment Resolution
Variance Resolution
Planning Commission Recommendation
Planning Report
Resident E-mail

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR A
CONTRACTOR'S YARD WITH OUTDOOR STORAGE**

Case No. 21-19CV
(Kiehm Construction)

WHEREAS, the request is for the property located at 2660 50th Street and legally described as:

**All of Lots 3-5, Block 1, Warren And McDowells Acre Lots No 2, subject to
Highway Easement Ex Parcel 234 of South Right-of-way Plat 19-46,
according to the recorded plat, Dakota County, Minnesota**

WHEREAS, the aforescribed property is zoned I-1, Limited Industry District;

WHEREAS, contractor's yard with outdoor storage is listed as a conditional use within the Limited Industry district;

WHEREAS, the request has been reviewed against Title 10, Chapter 3, Article A, Section 10-3A-5 regarding the criterion for a Conditional Use Permit and meets the minimum standards; the request is consistent with the Comprehensive Plan and it does not have a negative impact on public health, safety or welfare;

WHEREAS, a public hearing concerning the conditional use permit amendment was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statute, Section 462.357, Subdivision 3 on April 6, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a conditional use permit amendment for a contractor's yard with outdoor storage is hereby approved subject to the following conditions:

1. Development of the site shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Grading and Erosion Control Plan
Site and Utility Plan

3/24/21
3/24/21

Building/Shop Elevation
Landscape Plan

3/30/21
3/31/21

3. Prior to any construction on site, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
4. All plans shall be subject to the review and approval of the Fire Marshal.
5. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract, which is part of the Administrative Code.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

AYES:

NAYS:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 19-_____

**RESOLUTION APPROVING A VARIANCE TO ALLOW THE SHOP BUILDING WITH A 10
FOOT SETBACK ALONG THE SOUTH PROPERTY LINE**

Case No. 21-19CV
(Kiehm Construction)

WHEREAS, an application for a variance has been submitted for the property located at 2660 50th Street and legally described as:

**All of Lots 3-5, Block 1, Warren And McDowells Acre Lots No 2, subject to
Highway Easement Ex Parcel 234 of South Right-of-way Plat 19-46,
according to the recorded plat, Dakota County, Minnesota**

WHEREAS, the aforescribed property is zoned I-1, Limited Industry District;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on April 6, 2021 in accordance with City Code Section City Code 10-3-3 C;

WHEREAS, a practical difficulty or uniqueness was found to exist based on the following findings:

The property has unique circumstances in that the south property line abuts MnDOT right-of-way so there are no other buildings to the south. The highway road surface would be approximately 200 feet from the building.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow the shop building with a 10 foot setback along the south property line is hereby approved subject to the following conditions:

1. The addition shall be in substantial conformance with the plans on file with the Planning Department except as may be modified by the conditions below.
2. The applicant shall meet the conditions outlined in the City Engineers review letters and subsequent correspondence.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Thomas Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: April 6, 2021

SUBJECT: **KIEHM CONSTRUCTION - CASE NO. 21-19CV**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit for a contractor shop and a variance from setbacks, for the property located at 2660-50th Street. 255 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that in 2019 Council approved a conditional use permit for a contractor's yard and a setback variance from Blaine Avenue for a landscaping business. The applicant is proposing some modifications to the approved site plan, including moving the 5,088 square foot building further south on the property and putting the parking area in front of the building and therefore they are requesting a conditional use permit amendment. They are also requesting a variance to allow the building to be setback 10 feet from the south property line whereas 40 feet is required. Most of the existing vegetation will be retained along 50th Street. The emails received from neighbors were submitted to commissioners prior to the meeting. Staff recommends approval of requests. Staff believes the property has unique circumstances in that the south property line abuts MnDOT right-of-way so there are no other buildings to the south, and the highway road surface would be approximately 200 feet from the building.

Chair Niemioja asked for clarification that they could proceed with their original plan without any other approvals.

Mr. Hunting replied in the affirmative.

Commissioner Simon questioned whether 50th Street was constructed to handle heavy-duty trucks.

Mr. Hunting replied that he did not know the construction details of 50th Street but stated it was always anticipated that this road would be able to handle that traffic as it has been guided and zoned for commercial for a number of years.

Steve Dodge, Assistant City Engineer, stated that 50th Street is designated as a State Aid Street and is part of the future pavement management program.

Commissioner Challeen asked what the substantive differences were between the original

approved design and what was being proposed tonight besides its increased size and change of location.

Mr. Hunting replied that the building being larger, the parking lot now being located on the east side of the building, and the building being moved further south were the primary changes.

Opening of Public Hearing

Nick Lawrence, 8415 - 220th St W, Lakeville, stated he was available to answer any questions.

Chair Niemioja asked the applicant if he read and understood the report.

Mr. Lawrence replied in the affirmative. He advised that traffic should not be an issue. The owner currently has two regular sized pickup trucks which typically go out in the morning and come back in the evening.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

Chair Niemioja stated the proposed change would be almost more beneficial for the neighborhood.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Challeen, to approve the conditional use permit amendment for a contractor shop and a variance from setbacks, for the property located at 2660-50th Street, with the conditions and practical difficulty as listed in the report.

Motion carried (8/0). This item goes to the City Council on April 26, 2021.



PLANNING REPORT

CASE NO: 21-19CV

APPLICANT: Kiehm Construction

PROPERTY OWNER: Scott Solomonson

REQUEST: Conditional Use Permit Amendment and Variance from setbacks

HEARING DATE: April 6, 2021

LOCATION: 2660 50th Street E.

COMPREHENSIVE PLAN: LI, Light Industrial

ZONING: I-1, Limited Industry District

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

In 2019 Council approved a conditional use permit for a contractor's yard and a setback variance from Blaine Avenue for a landscape design and installation business. The property was also rezoned to I-1 at that time. The applicant is proposing some modifications to the site plan including moving the building further south on the property and putting the parking area in front of the building. The building would still be utilizing the approved ten foot setback from Blaine Avenue. The applicant is proposing to construct a 5,088 square foot building for landscape business.

REQUESTS

The specific requests for the project include the following:

1. Conditional Use Permit Amendment for a contractor's yard with outdoor storage.
2. Variance from rear yard setbacks.

EVALUATION OF THE REQUEST

Surrounding Uses.

The subject property is surrounded by:

North: Multiple family residential; zoned R-3C; guided Medium Density Residential.

East: MnDOT R-O-W/storm ponds.

West: MnDOT R-O-W

South: Hwy 494

Conditional Use Permit Site Plan Review

Setbacks. The proposed building would continue to be located 10 feet from the property line along Blaine Avenue and would be proposed at a 10 foot setback along the south property line which abuts MnDOT property/right-of-way along Hwy 494. The required setback on the south property line is 40 feet. A variance is being requested and discussed later in this report.

Parking Lot. The proposed improvements would consist of a gravel parking area in front of the new shop building. The site plan also shows 8 parking spaces in front of the building typically used by employees. This surface area would be asphalt as shown on the site plan. The is not a retail business and would not be used by the general public. Therefore, no customer parking is required. A gravel surface is allowed for storage or maneuvering of commercial vehicles.

Access. Access to the site is not changing; there is one access from 50th Street on the far east side of the property.

Landscaping. A revised landscape plan has been submitted showing plantings on both the north and south sides of the building. The majority of the existing vegetation will be retained along 50th other than some removal needed to construct the sewer and water upgrades. The site should look very similar to pre construction vs. post construction as the land drops in elevation from 50th.

Lighting. The plans do not identify any building or parking lot lighting. If any are to be installed, they must also comply with the fixture of shoe-box style with flat lens to cut off direct visibility of the lights .

Exterior Building Materials. The exterior of the building is shown with the use of composite foam panels with a stucco type finish and stone type accent along the bottom of the building. The materials proposed comply with exterior material standards.

The elevation of the site drops from 50th Street to the highway. The first floor elevation of the building would be approximately 20 feet below grade of 50th Street. The proposed building height would be 18 feet.

Signage. All signage must comply with the signage allotment for the “I-1” zoning district. The submitted plan set does not identify signage. All signage requires sign permits.

Fire Marshal Review. All plans shall be subject to the review and approval of the City Fire Marshal for fire lane designation and the signage or marking of the fire lanes at time of building permit.

Engineering. Engineering has reviewed the plans and notes standard conditions that will be required. Perimeter drainage and utility easements will be required and an improvement agreement with storm water management plan will also be required.

Variance

The applicant is proposing to construct the building in the southwest corner of the site with a 10 foot setback from the rear property line. A minimum rear yard setback in the I-1 district is 40 feet.

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The intent of the code requirement is to provide uniformity in building location. Unique circumstances with the lot would provide ability to be in harmony with the intent of the zoning code and new land use designation.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The proposed structure complies with front setbacks and a variance along Blaine Avenue was previously approved. The building meets all other performance standards. Allowing a shop building would be a typical building and use for a contractor's yard.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The property has unique circumstances in that the property to the south is owned by MnDOT and is part of the right-of-way for I-494. The distance between the proposed building and the highway is over 200 feet. The property is approximately 20 feet lower than street grade, so the building would mostly below street grade and still a significant distance from the road.

4. *The variance will not alter the essential character of the locality.*

The proposed building is relatively small for an industrial use and would not be out of character of the neighborhood. Much of the improvements to the site would be screened by existing vegetation and the property being lower than street grade.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

- A. Approval:** If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:

- o Approval of the **Conditional Use Permit Amendment** for a contractor's yard with outdoor storage subject to the following conditions:
 1. Development of the site shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Grading and Erosion Control Plan	3/24/21
Site and Utility Plan	3/24/21
Building/Shop Elevation	3/30/21
Landscape Plan	3/31/21
 3. Prior to any construction on site, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
 4. All plans shall be subject to the review and approval of the Fire Marshal.
 5. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract, which is part of the Administrative Code.
- o Approving the **Variance** to allow the shop building with a 10 foot setback from the rear property line with the practical difficulty being:

The property has unique circumstances in that the south property line abuts MnDOT right-of-way so there are no other buildings to the south. The highway road surface would be approximately 200 feet from the building.

B. Denial: Should the proposed request, or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

Staff recommends approval of the CUP amendment and variance with the conditions listed.

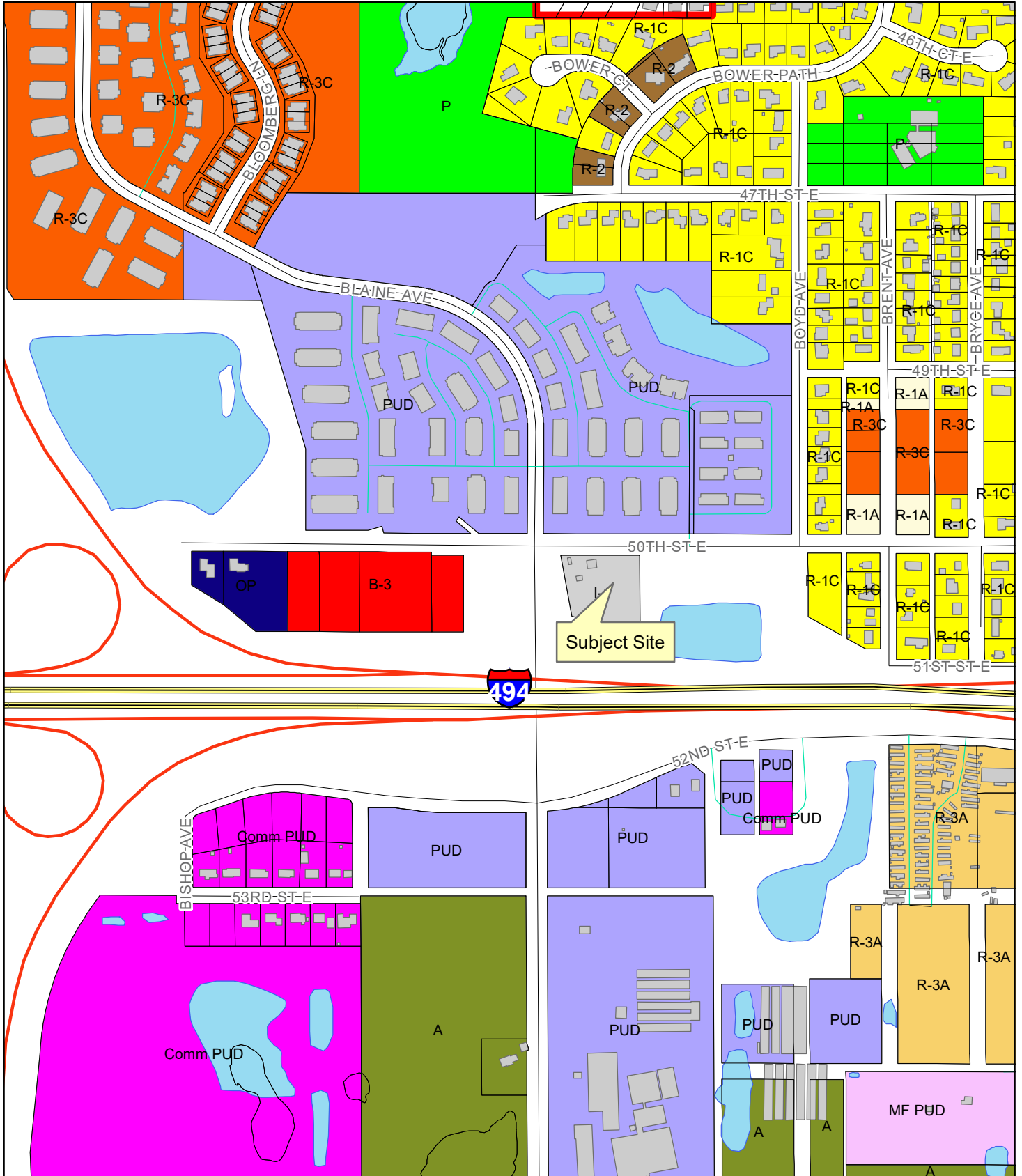
Attachments:

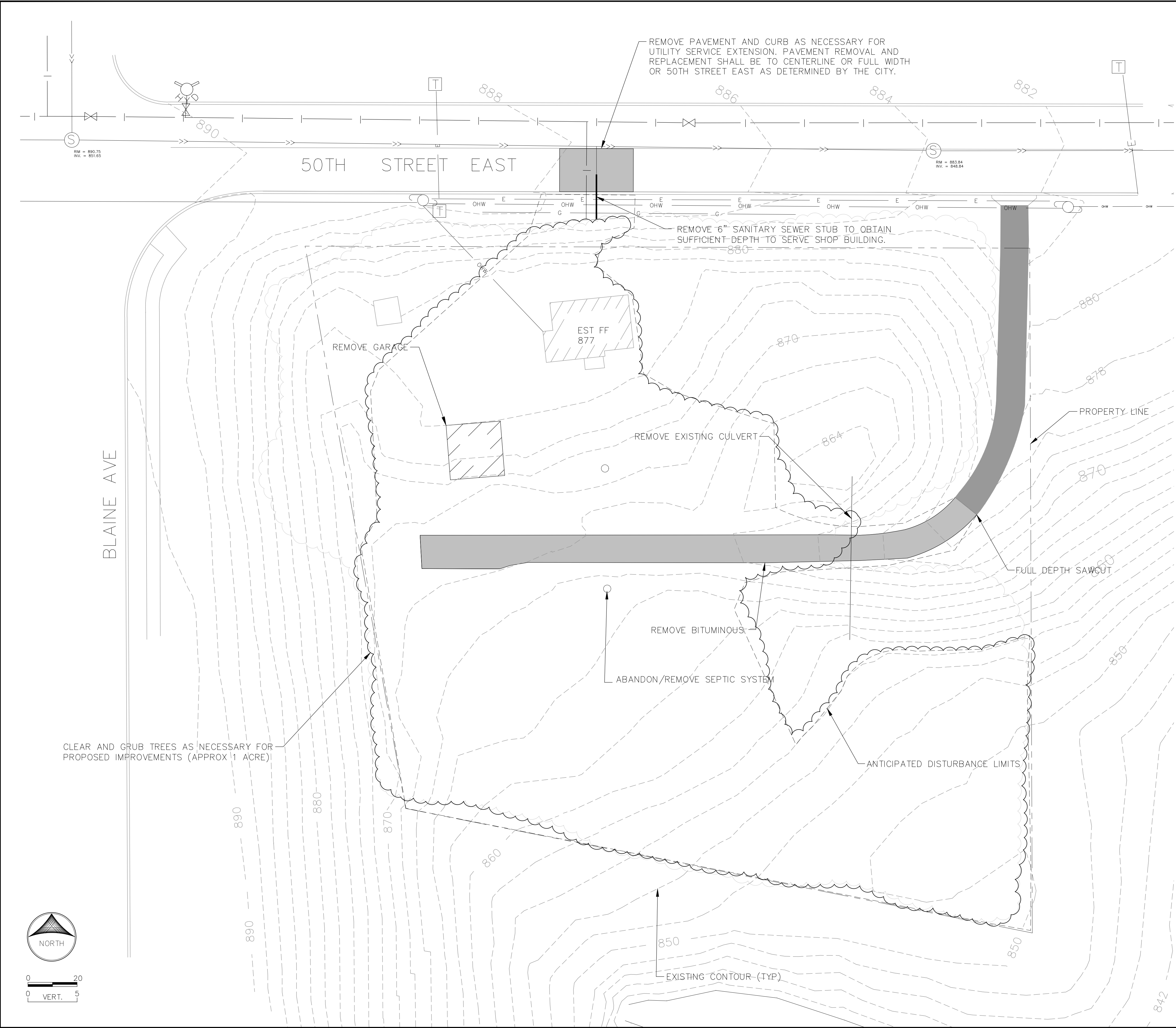
Location Map
Site and Utility Plan
Grading Plan
Building Elevations
Landscape Plan
Approved Site Plan from September, 2019
Resident E-mails (2)



Location Map

Case No. 21-19CV

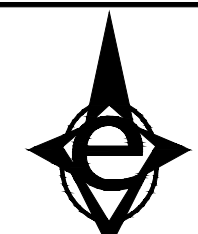




LEGEND	
EXISTING SANITARY SEWER	—>>—
EXISTING STORM MANHOLE	—●—
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	—(S)—
EXISTING WATER MAIN	— —
EXISTING GATE VALVE	—X—
TELEPHONE PEDESTAL	—TELE □—
TELEPHONE CABLE	—TELE —
TELEPHONE MANHOLE	—(T)—
FIBER OPTIC CABLE	—FO —
FIBER OPTIC HAND HOLE	—FH —
OVERHEAD WIRES	—OHU —
ELECTRICAL BOXES	—[E]—
GAS MAIN	—GAS —
UTILITY POLE	—○—
GUY OR ANCHOR	—/—
STREET LIGHT	—○—
GUARD POST	—○—
SIGN	—□—
REMOVE BITUMINOUS	—[X]—

- CONSTRUCTION NOTES:
1. ALL WORK SHALL TAKE PLACE WITHIN THE PROPERTY LIMITS OR EASEMENT AREAS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE SAFETY OF AND WILL PROVIDE THE NECESSARY PROTECTION TO PREVENT DAMAGE, INJURY OR LOSS TO ALL EMPLOYEES ON THE WORK SITE AND OTHER PERSONS WHO MAY BE AFFECTED THEREBY.
 3. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, RULES, REGULATIONS AND ORDERS OF ANY PUBLIC BODY HAVING JURISDICTION. THE CONTRACTOR WILL ERECT AND MAINTAIN ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
 4. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND SHALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
 5. THE CONTRACTOR SHALL FURNISH, INSTALL, AND MAINTAIN TEMPORARY EROSION CONTROL MEASURES TO PREVENT THE MIGRATION OF SEDIMENT FROM THE SITE. ALL WORK SHALL BE INCIDENTAL TO THE PROJECT.
 6. BLACK DIRT TO BE STRIPPED, SALVAGED, AND STOCKPILED FROM ALL AREAS TO BE DISTURBED PRIOR TO ANY GRADING.

- REMOVAL NOTES:
1. THE CONTRACTOR SHALL COMPLETE ALL REMOVALS IN A MANNER THAT WILL PROTECT THE EXISTING FEATURES TO REMAIN. ANY DAMAGE TO EXISTING STRUCTURES OR OTHER EXISTING FEATURES SHALL BE CORRECTED TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST.
 2. EXISTING TREES SHALL BE PROTECTED TO THE EXTENT POSSIBLE. ONLY TREES NECESSARY TO COMPLETE THE GRADING AND IMPROVEMENTS SHALL BE REMOVED.
 3. CONTRACTOR TO ABANDON THE EXISTING SEPTIC SYSTEM PER CITY INVER GROVE HEIGHTS AND DAKOTA COUNTY STANDARDS IMMEDIATELY FOLLOWING MUNICIPAL SERVICE EXTENSION TO THE EXISTING HOUSE AND SHOP.
 4. THE EXISTING SANITARY SEWER AND WATER STUB LOCATIONS ARE APPROXIMATED. THE CONTRACTOR SHALL VERIFY/LOCATE THE SERVICE STUBS IN THE GRASS BOULEVARD BY EXPLORATORY DIG BEFORE ANY STREET IMPACTS ARE ALLOWED.



ELEERING & ASSOCIATES
10002 FARMERS CT NE
BLAINE, MN 55449
PH: 763-780-0450

NO.	DATE	BY	REVISION DESCRIPTION

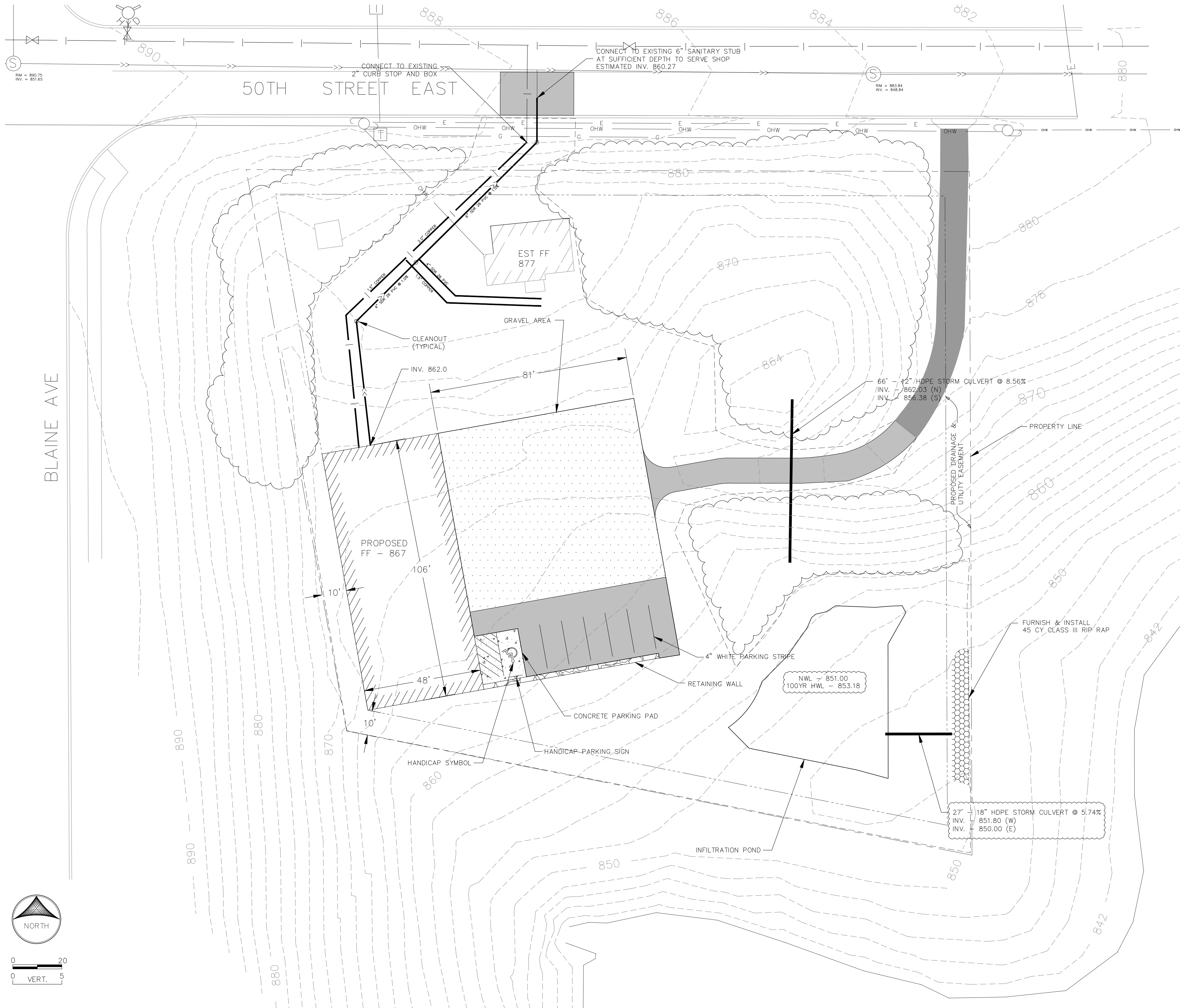
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: *Lee Eleering* DATE: 03/24/21
PRINTED NAME: LEE ELEERING LIC. NO.: 41613

LIVING SPACE BUILDING
2660 50TH ST E, INVER GROVE HEIGHTS
EXISTING CONDITIONS AND REMOVALS

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 6/3/19
CAD FILE: ./Removals.dwg

SHEET
C1.0



LEGEND	
PROPERTY LINE	---
EASEMENT LINE	---
EXISTING SANITARY SEWER	==>>
EXISTING STORM MANHOLE	⊙
EXISTING STORM SEWER	==>
EXISTING SANITARY MANHOLE	⊙
EXISTING WATER MAIN	---
EXISTING GATE VALVE	⌵
TELEPHONE PEDESTAL	⊞
TELEPHONE CABLE	--- TELE ---
TELEPHONE MANHOLE	⊙
FIBER OPTIC CABLE	--- FO ---
FIBER OPTIC HAND HOLE	⊙
OVERHEAD WIRES	--- OHU ---
ELECTRICAL BOXES	⊞
GAS MAIN	--- GAS ---
UTILITY POLE	⌵
GUY OR ANCHOR	⌵
STREET LIGHT	⊙
GUARD POST	⌵
SIGN	⌵
PROPOSED BITUMINOUS	▨
PROPOSED CONCRETE	▩

CONSTRUCTION NOTES:

1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
2. ALL RETAINING WALLS SUPPORTING LOADS OR A SURCHARGE OR WALLS 4 FEET AND HIGHER, MEASURED FROM THE BOTTOM OF FOOTING TO TOP OF WALL, REQUIRE A SEPARATE BUILDING PERMIT. (STRUCTURAL ENGINEERING (PE) REQUIRED)
3. ALL RETAINING WALLS SHOWN ON THE PLAN SHALL BE CONSTRUCTED DURING THE GRADING PHASE.
4. THE EXISTING SANITARY SEWER AND WATER STUB LOCATIONS FROM THE 50TH AVENUE MAIN LINE UTILITIES ARE APPROXIMATED. THE CONTRACTOR SHALL VERIFY/LOCATE THE SERVICE STUBS IN THE GRASS BOULEVARD BY EXPLORATORY DIG BEFORE ANY STREET IMPACTS ARE ALLOWED.
5. THE CONTRACTOR SHALL MAINTAIN TWO WAY TRAFFIC ON 50TH STREET EAST FOLLOWING THE MMUTCD OR WILL PROVIDE A SIGNED DETOUR ROUTE WHILE 50TH STREET IS IMPACTED. THE TRAFFIC CONTROL PLAN AND/OR DETOUR MUST BE APPROVED BY THE CITY ENGINEER PRIOR TO USE. ANY CLOSURE/DETOURING OF 50TH STREET EAST MUST BE NOTICED A MINIMUM OF 7 DAYS IN ADVANCE.
6. THE CONTRACTOR SHALL EXTEND THE NEW SERVICES TO THE HOUSE AND CONNECT TO THE EXISTING SERVICE PIPES PRIOR TO ABANDONING THE WELL AND SEPTIC SYSTEM. CONTRACTOR TO LOCATE THE EXISTING WATER AND SANITARY STUB OUT OF THE HOUSE AND MODIFY NEW SERVICES AS NECESSARY TO MAKE THE CONNECTIONS.



NO.	DATE	BY	REVISION DESCRIPTION
1	2/23/21	LE	MDOT COMMENT REVISIONS
2	3/24/21	LE	PAVED PARKING STALLS

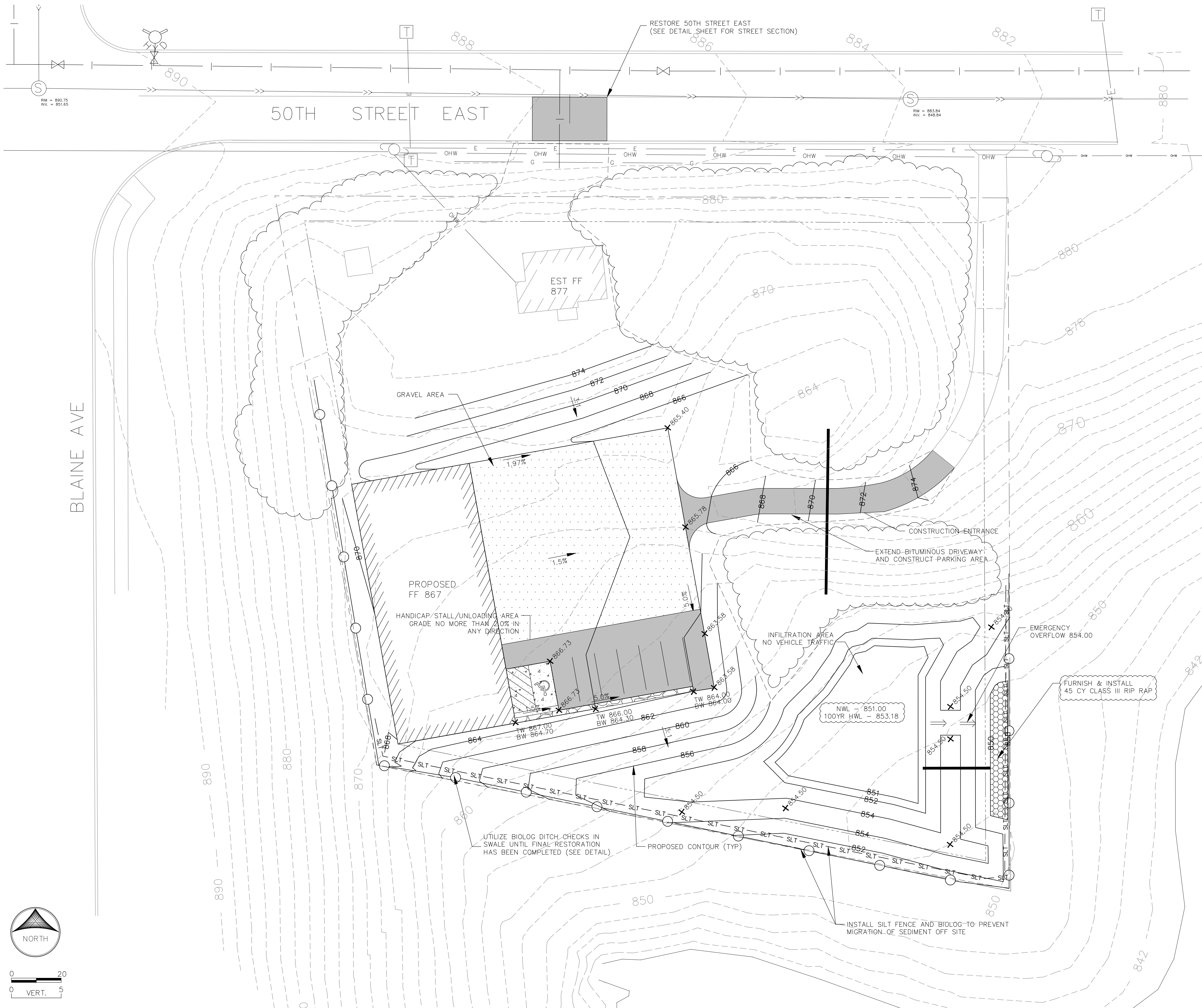
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SIGNATURE *Lee Eleeing* DATE 03/24/21
PRINTED NAME LEE ELEEING LIC. NO. 41613

HEALING GARDEN REMODEL
2660 50TH ST E, INVER GROVE HEIGHTS
SITE AND UTILITY PLAN

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 6/3/19
CAD FILE: /GRADING PLAN

SHEET
C2.0



LEGEND

EXISTING SANITARY SEWER	—>>—
EXISTING STORM MANHOLE	—●—
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	—○—
EXISTING WATER MAIN	— —
EXISTING GATE VALVE	—X—
TELEPHONE PEDESTAL	—TELE □—
TELEPHONE CABLE	—TELE—
TELEPHONE MANHOLE	—①—
FIBER OPTIC CABLE	—FO—
OVERHEAD WIRES	—OHU—
ELECTRICAL BOXES	—GAS □—
GAS MAIN	—GAS—
UTILITY POLE	—/—
GUY OR ANCHOR	—/—
STREET LIGHT	—○—
GUARD POST	—/—
SIGN	—/—
SILT FENCE	—SLT—
BIOLOG	—○—
PROPOSED BITUMINOUS	—■—
PROPOSED CONCRETE	—■—

- INFILTRATION BASIN GRADING NOTES:**
1. NO EXCAVATION/GRADING EQUIPMENT SHALL TRAVEL WITHIN ANY OF THE INFILTRATION BASIN AREAS AT ANY POINT DURING SITE CONSTRUCTION
 2. EXCAVATOR SHALL USE A TOOTHED BUCKET (NO SMOOTH EDGE BUCKET) WHEN EXCAVATING AND GRADING INFILTRATION BASINS TO REDUCE SOIL SMEARING
 3. EXCAVATION OF INFILTRATION BASINS SHALL ONLY OCCUR IN DRY SOIL CONDITIONS TO PREVENT UNNECESSARY COMPACTION IMPACTS
 4. THE FINAL GRADING OF THE INFILTRATION BASIN (LOWEST 1 FOOT) SHALL NOT BE COMPLETED UNTIL ALL SITE AREAS ARE STABILIZED.
 5. PRIOR TO FINAL STABILIZATION OF THE INFILTRATION BASIN THE CONTRACTOR MUST DOCUMENT/PROVIDE PROOF OF A MAXIMUM DRAW DOWN PERIOD OF 48 HOURS.

- CONSTRUCTION NOTES:**
1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
 2. BLACK DIRT TO BE STRIPPED, SALVAGED, AND STOCKPILED FROM ALL AREAS TO BE DISTURBED PRIOR TO ANY GRADING.
 3. ALL RETAINING WALLS SHOWN ON THE GRADING PLAN SHALL BE CONSTRUCTED DURING THE GRADING PHASE.

- EROSION CONTROL NOTES:**
1. MAINTAIN ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. THE CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER AND EROSION INSPECTIONS. THE CONTRACTOR MUST, AT A MINIMUM, INSPECT, MAINTAIN AND REPAIR ALL DISTURBED SURFACES AND ALL EROSION AND SEDIMENT CONTROL FACILITIES AND SOIL STABILIZATION MEASURES EVERY DAY WORK IS PERFORMED ON THE SITE AND AT LEAST WEEKLY UNTIL LAND DISTURBING ACTIVITY HAS CEASED. THEREAFTER, THE CONTRACTOR MUST PERFORM THESE RESPONSIBILITIES AT LEAST WEEKLY UNTIL VEGETATIVE COVER IS ESTABLISHED.
 2. INSTALL PERIMETER EROSION CONTROL AT LOCATIONS SHOWN ON THE PLAN AND AS DIRECTED BY THE ENGINEER OR CITY PRIOR TO COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES.
 3. BEFORE BEGINNING CONSTRUCTION, INSTALL A TEMPORARY ROCK CONSTRUCTION ENTRANCE AT EACH POINT WHERE VEHICLES EXIT THE CONSTRUCTION SITE. USE 2-INCH OR GREATER DIAMETER ROCK IN A LAYER AT LEAST 6-INCHES THICK ACROSS THE ENTIRE WIDTH OF THE ACCESS AS SHOWN IN THE DETAIL.
 4. THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENTS TRACKED OR OTHERWISE DEPOSITED ONTO PUBLIC AND PRIVATE PAVEMENT AREAS AND STORM SEWER SYSTEMS. REMOVAL SHALL BE ON A DAILY BASIS WHEN TRACKING OCCURS AND MAY BE ORDERED BY THE ENGINEER OR CITY AT ANY TIME. SWEEPING SHALL BE DONE IN A MANNER TO PREVENT DUST BEING BLOWN TO ADJACENT PROPERTIES.
 5. LOCATE SOIL OR DIRT STOCKPILES NOT LESS THAN 25 FEET FROM ANY PUBLIC OR PRIVATE ROADWAY OR DRAINAGE CHANNEL. IF REMAINING FOR MORE THAN 7 DAYS, STABILIZE THE STOCKPILES BY MULCHING, VEGETATIVE COVER, TARPS, OR OTHER APPROVED MEANS. CONTROL EROSION FROM ALL STOCKPILES BY PLACING SILT BARRIERS AROUND THE PILES.
 6. MAINTAIN ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. THE CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE E-MAILED TO THE DEVELOPER ON A WEEKLY BASIS.
 7. TEMPORARILY OR PERMANENTLY STABILIZE ALL CONSTRUCTION AREAS WHICH HAVE UNDERGONE FINAL GRADING, AND ALL AREAS IN WHICH GRADING ACTIVITIES ARE NOT ACTIVELY UNDERWAY AGAINST EROSION DUE TO RAIN, WIND, AND RUNNING WATER WITHIN 7-DAYS.
 8. THE CONTRACTOR SHALL REMOVE ALL TEMPORARY SYNTHETIC, STRUCTURAL, NON-BIODEGRADABLE EROSION AND SEDIMENT CONTROL DEVICES AFTER THE SITE HAS UNDERGONE FINAL STABILIZATION WITH PERMANENT VEGETATION ESTABLISHMENT. FINAL STABILIZATION FOR PURPOSES OF THIS REMOVAL IS 70% ESTABLISHED COVER OVER DISTURBED AREA.



NO.	DATE	BY	REVISION DESCRIPTION
1	02/23/21	LE	MDOT COMMENT REVISIONS
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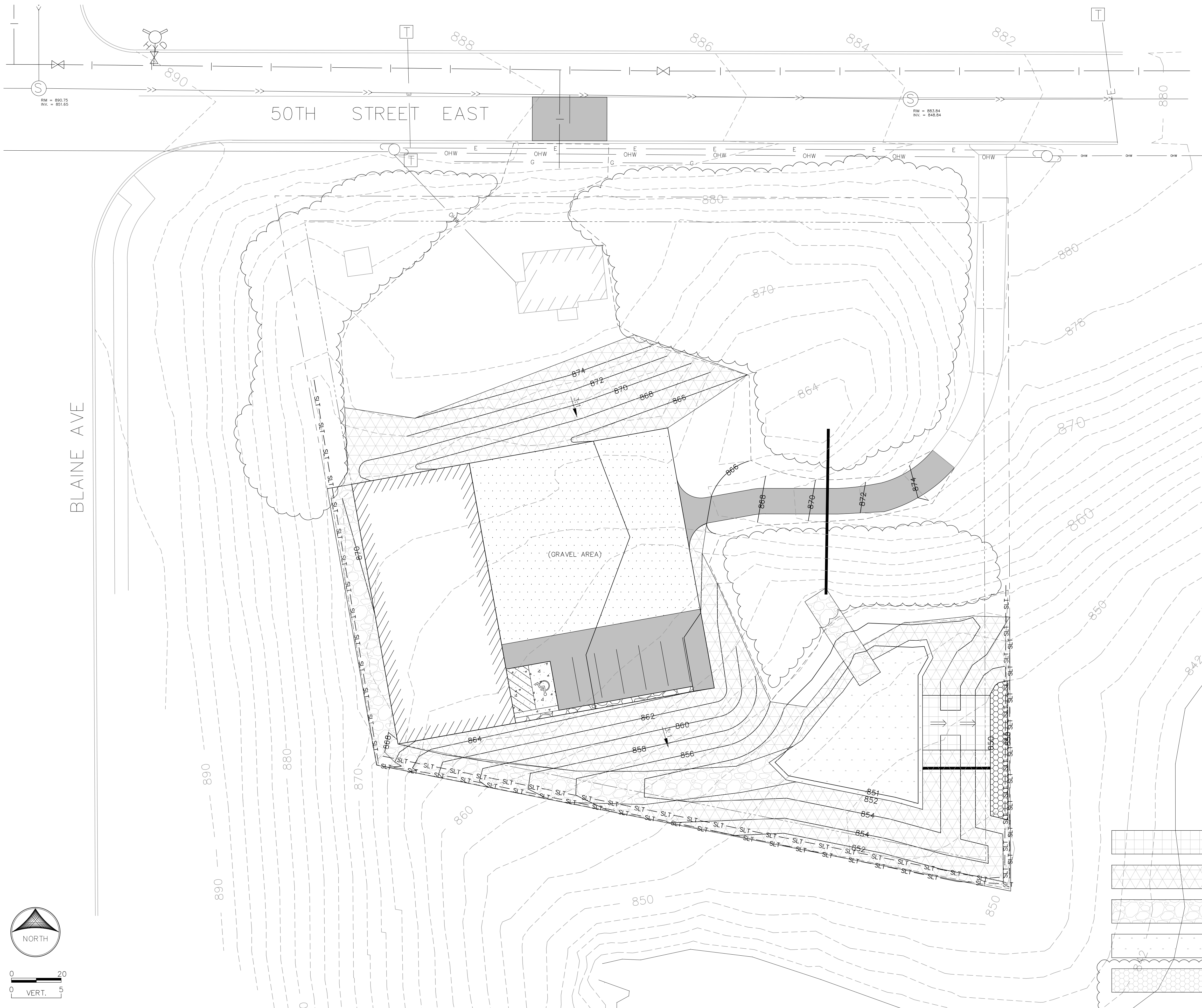
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SIGNATURE: *Lee Elfering* DATE: 03/24/21
PRINTED NAME: LEE ELFERING LIC. NO.: 41613

LIVING SPACE BUILDING
2600 50TH ST E; INVER GROVE HEIGHTS
GRADING PLAN AND EROSION CONTROL

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 6/3/19
CAD FILE: /GRADING PLAN

SHEET
C3.0



LEGEND

EXISTING SANITARY SEWER	—>—>—
EXISTING STORM MANHOLE	⊙
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	⊙
EXISTING WATER MAIN	— — — —
EXISTING GATE VALVE	⌞
TELEPHONE PEDESTAL	TELE □
TELEPHONE CABLE	— TELE —
TELEPHONE MANHOLE	⊙
FIBER OPTIC CABLE	— FO —
FIBER OPTIC HAND HOLE	⊞
OVERHEAD WIRES	— OHU —
ELECTRICAL BOXES	⊞
GAS MAIN	— GAS —
UTILITY POLE	⌞
GUY OR ANCHOR	⌞
STREET LIGHT	⊙
GUARD POST	⊙
SIGN	⊙
PROPOSED BITUMINOUS	▬
PROPOSED CONCRETE	▬

- INFILTRATION BASIN NOTES:**
1. THE CONTRACTOR SHALL EXERCISE CARE TO MINIMIZE COMPACTION OF SOILS IN AND AROUND THE INFILTRATION AREA DESIGNATED ON THE PLAN. EXCAVATION AND/OR PLACEMENT OF MATERIAL IN THE INFILTRATION AREA SHALL BE BY BACKHOE FROM THE PERIMETER. IF EQUIPMENT IS USED IN THE INFILTRATION AREA THE BOTTOM SHALL BE RIPPED A MINIMUM DEPTH OF 2 FEET BELOW THE LOWEST EXCAVATED ELEVATION.
 2. THE TOPSOIL USED IN THE INFILTRATION AREA SHALL CONSIST OF 3 PARTS SOIL (6") WITH 2 PARTS COMPOST (4") UNIFORMLY MIXED PRIOR TO PLACEMENT. IT IS ASSUMED THAT MIXING 6" OF SOIL WITH AN EQUIVALENT 4" OF COMPOST WILL RESULT IN A DEPTH AFTER PLACEMENT OF 8 INCHES DUE TO COMPRESSION OF THE COMPOST. COMPOST MATERIAL SHALL MEET THE REQUIREMENTS OF MNDOT STANDARD SPECIFICATION 3890 FOR GRADE 2 COMPOST.

- RESTORATION NOTES:**
1. BLACK DIRT SALVAGED FROM THE SITE SHALL BE RESPREAD OVER DISTURBED AREAS EXCLUDING THE FILTRATION AREA OF THE POND TO A MINIMUM THICKNESS OF FOUR INCHES (4"). IF SUFFICIENT SALVAGED TOPSOIL DOES NOT EXIST THE CONTRACTOR SHALL UTILIZE TOPSOIL BORROW.
 2. ALL DISTURBED AREAS NOT SPECIFICALLY NOTED FOR A RESTORATION METHOD SHALL BE HYDROSEEDING, FERTILIZED, AND HYDROMULCHED. USE MNDOT SEED MIX 25-151. UTILIZE THE MANUFACTURERS RECOMMENDED TYPES AND RATES FOR FERTILIZER AND HYDROMULCH MUST PREVENT EROSION UNTIL VEGETATION ESTABLISHMENT.

- | | |
|--|--|
| | POND OVERFLOW AREA
RESTORE WITH SEED MIX MNDOT 25-151 AND CATEGORY 45 WOOD FIBER BLANKET |
| | 3:1 SLOPE AREAS
RESTORE WITH SEED MIX MNDOT 25-151 AND HYDRAULICALLY APPLIED BONDED FIBER MATRIX (BFM) |
| | DRY CREEK BED AREAS
AREA TO BE RESTORED WITH A COMBINATION OF GRAVEL, STONE, AND BOULDERS. |
| | INFILTRATION POND AREA
RESTORE WITH SEED MIX MNDOT 35-241 MESIC PRAIRIE AND HYDRAULICALLY APPLIED BONDED FIBER MATRIX (BFM) |
| | INFILTRATION POND OUTLET AREA
CLASS III RIP RAP W/ FABRIC PER DETAIL
EAST EDGE OF RIP RAP TO MATCH EXISTING GRADES |



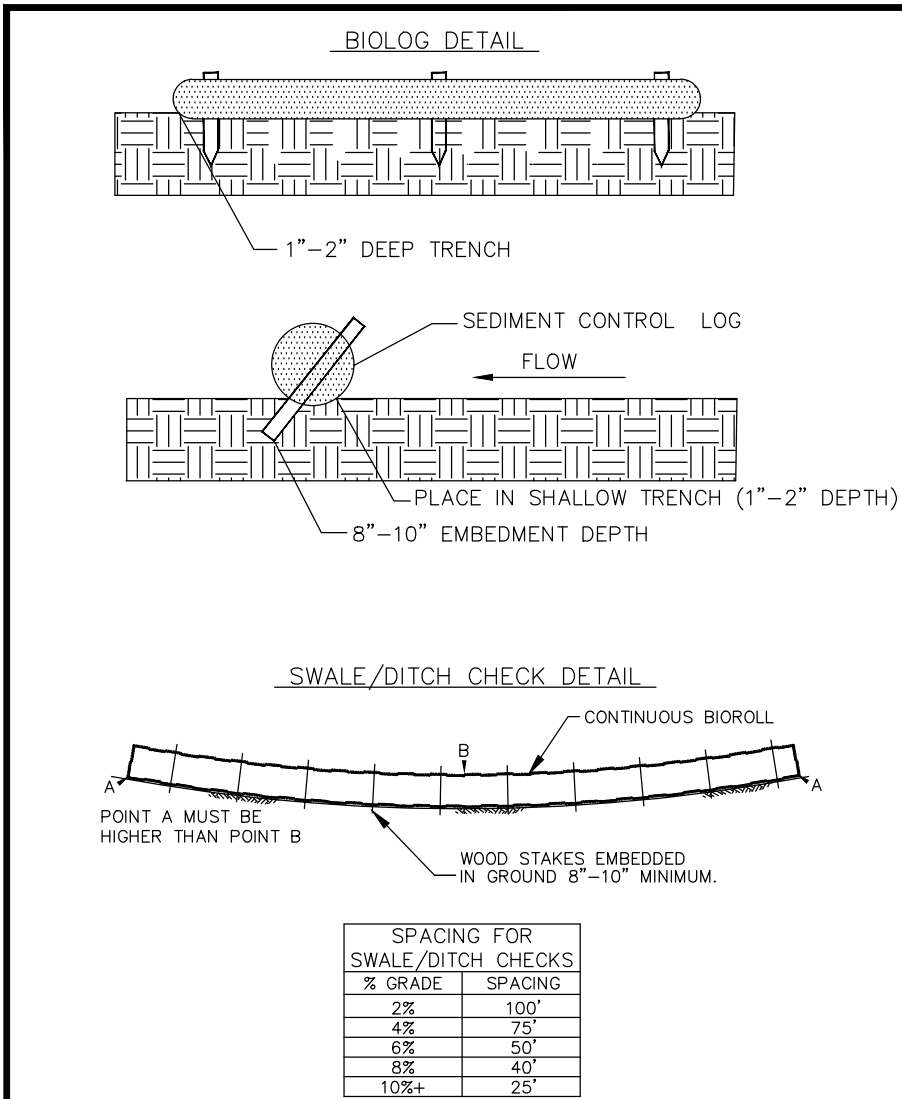
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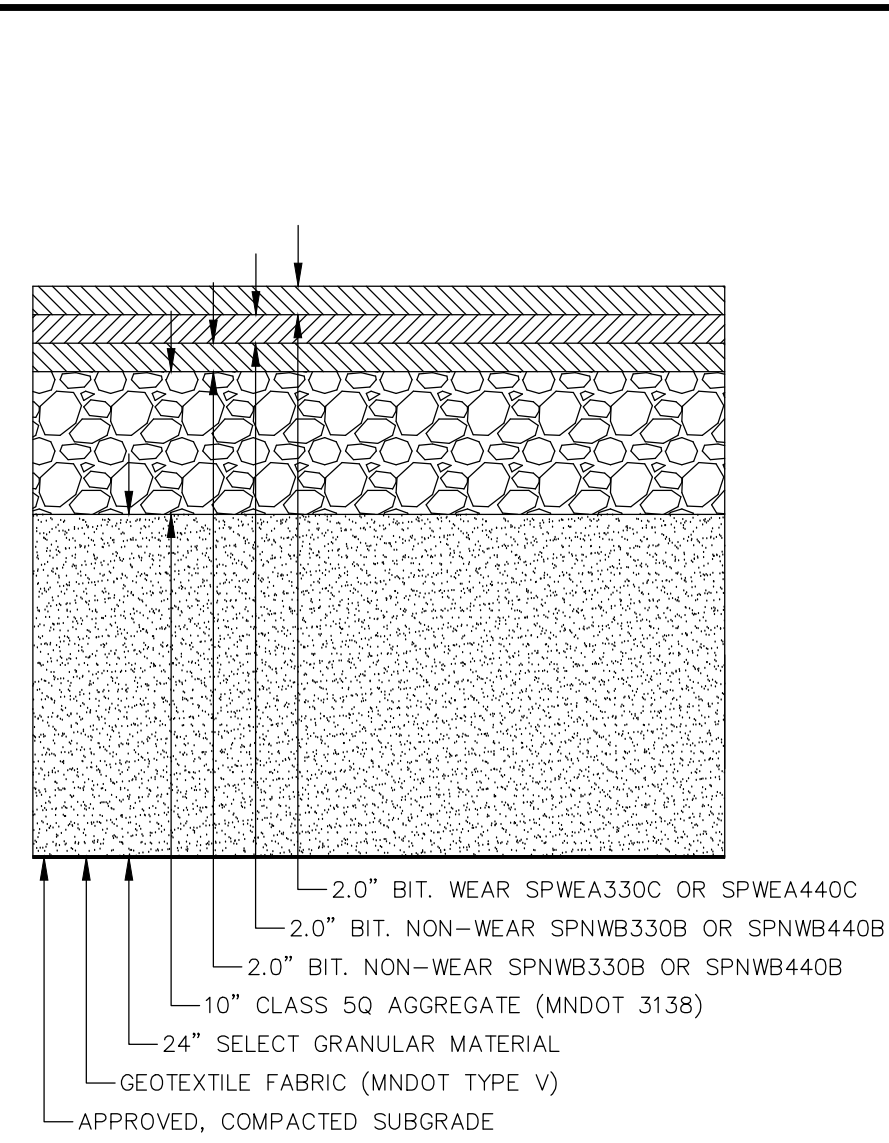
SIGNATURE *Lee Eleeving* DATE 03/24/21
PRINTED NAME LEE ELEEERING LIC. NO. 41613

LIVING SPACE BUILDING
2660 50TH ST E; INVER GROVE HEIGHTS
GRADING PLAN AND EROSION CONTROL

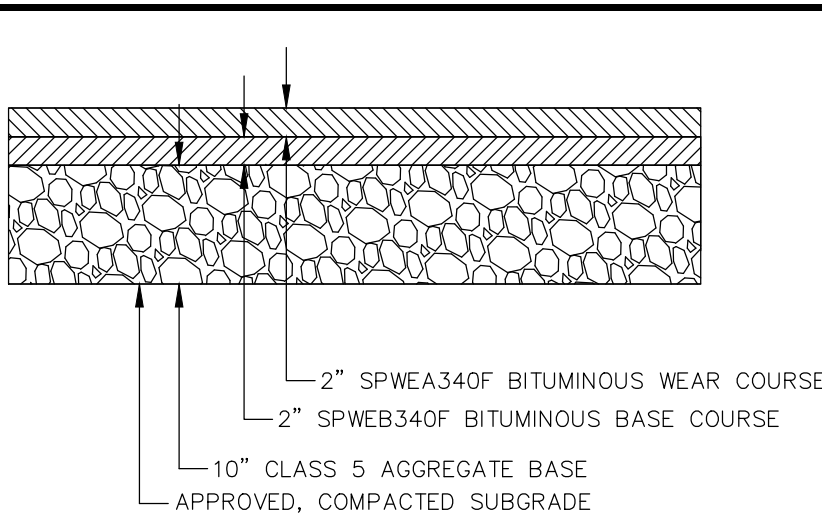
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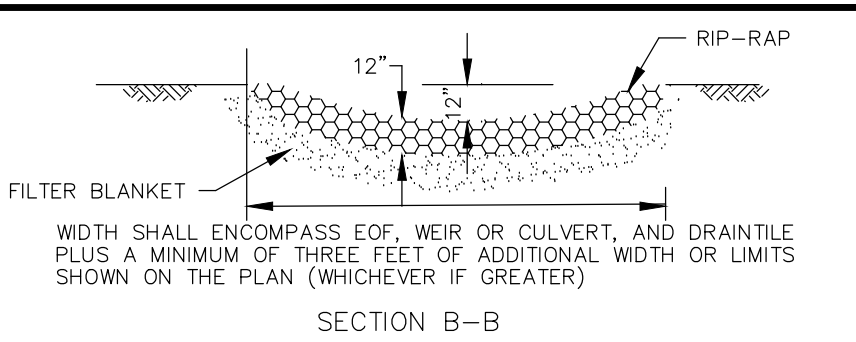
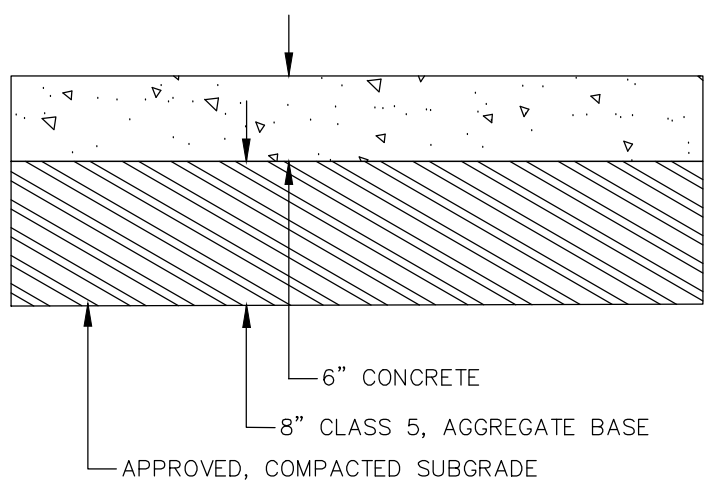
BIOLOGS:
STAKE INTO THE GROUND WITH WOOD STAKES WHERE BIOLOGS WEIGHT WILL NOT ENSURE THE LOG REMAINS IN PLACE AND SURFACE ALLOWS. WOOD STAKES ARE A MINIMUM OF .5" X 2" BY 16" LONG. WOOD STAKES DRIVEN THROUGH BACK HALF OF BIOROLL OR COMPOST LOG AT AN APPROXIMATE 45° ANGLE WITH TOP OF STAKE POINTING UPSTREAM. WHEN MORE THAN 1 BIOROLL/COMPOST LOG IS NEEDED, OVERLAP ENDS A MINIMUM OF 6" AND STAKE WHERE SURFACE ALLOWS.



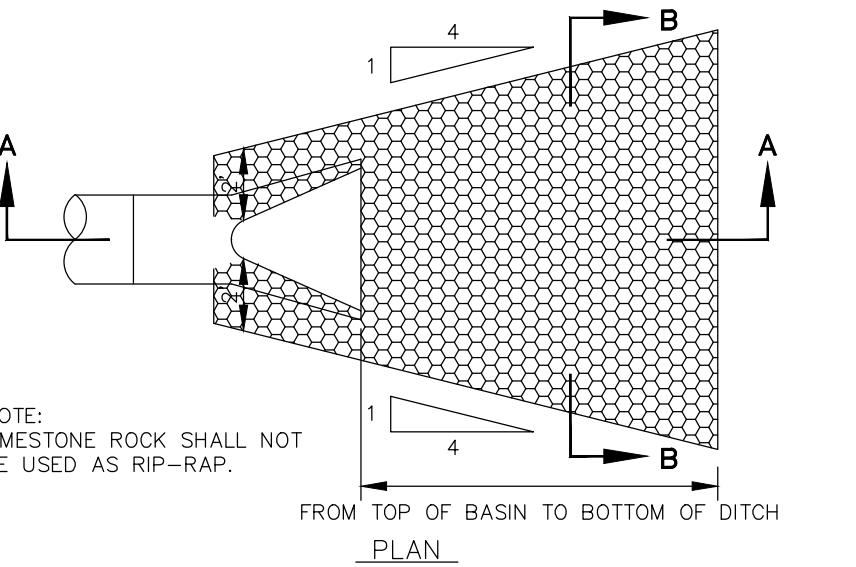
NOTES:
TACK COAT TO BE APPLIED BETWEEN ALL BITUMINOUS LIFTS



DRIVEWAY SECTION

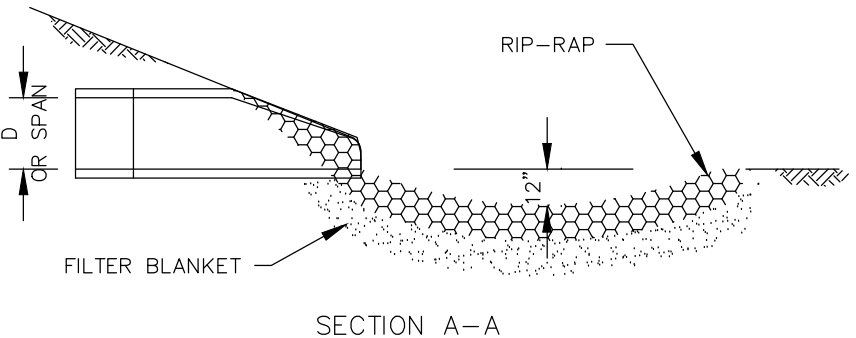


SECTION B-B

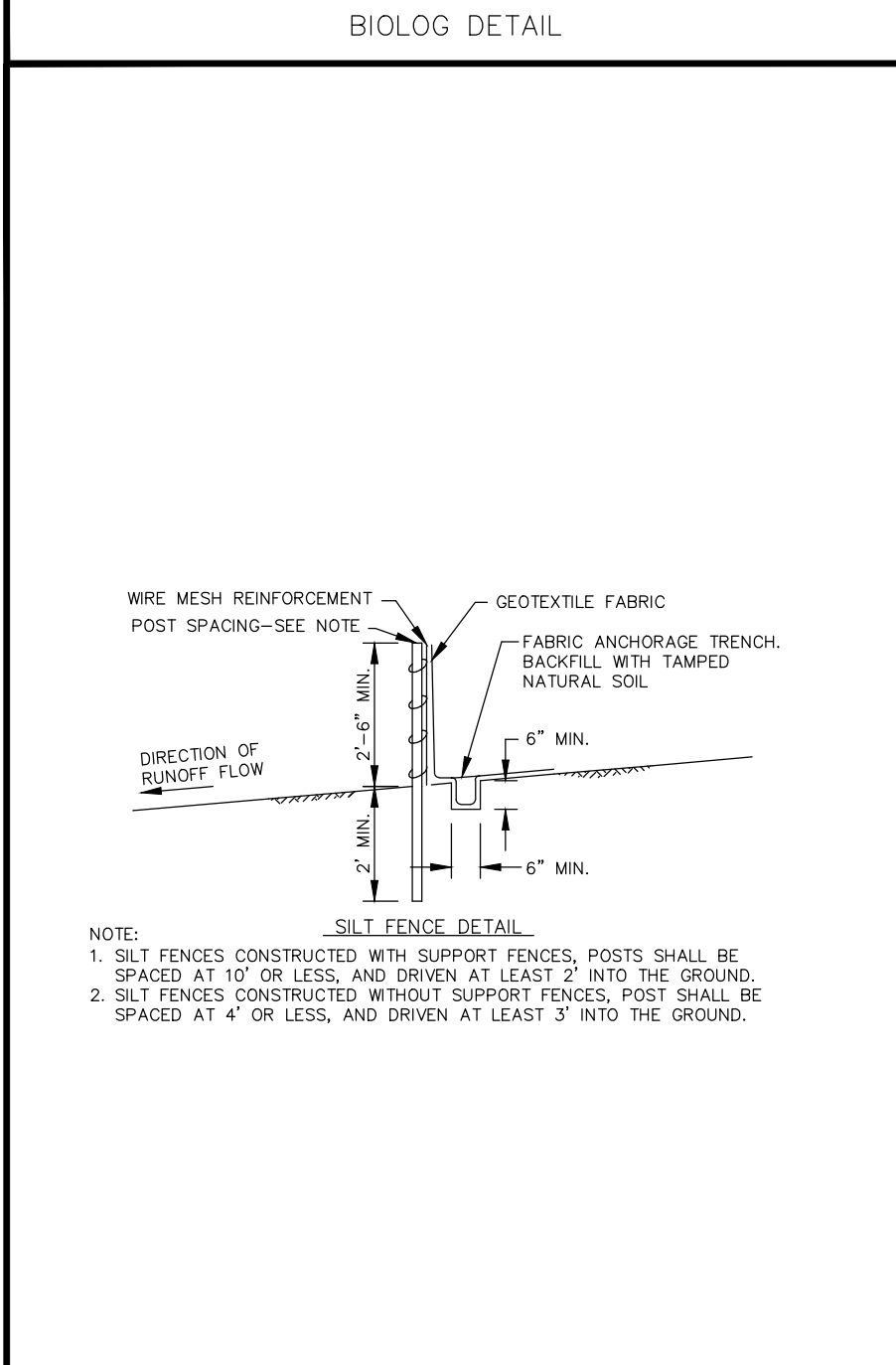


NOTE:
LIMESTONE ROCK SHALL NOT BE USED AS RIP-RAP.

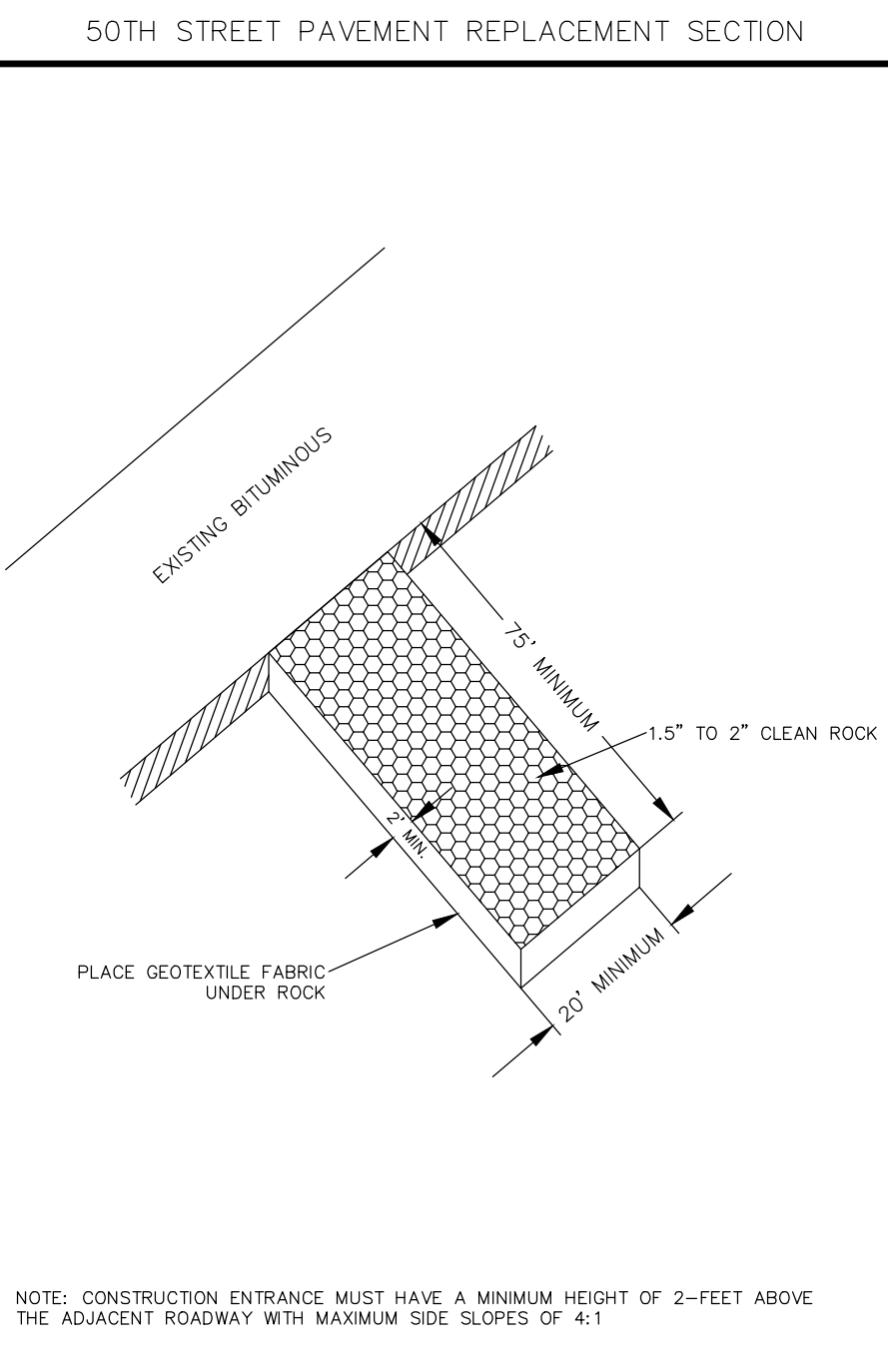
SECTION A-A



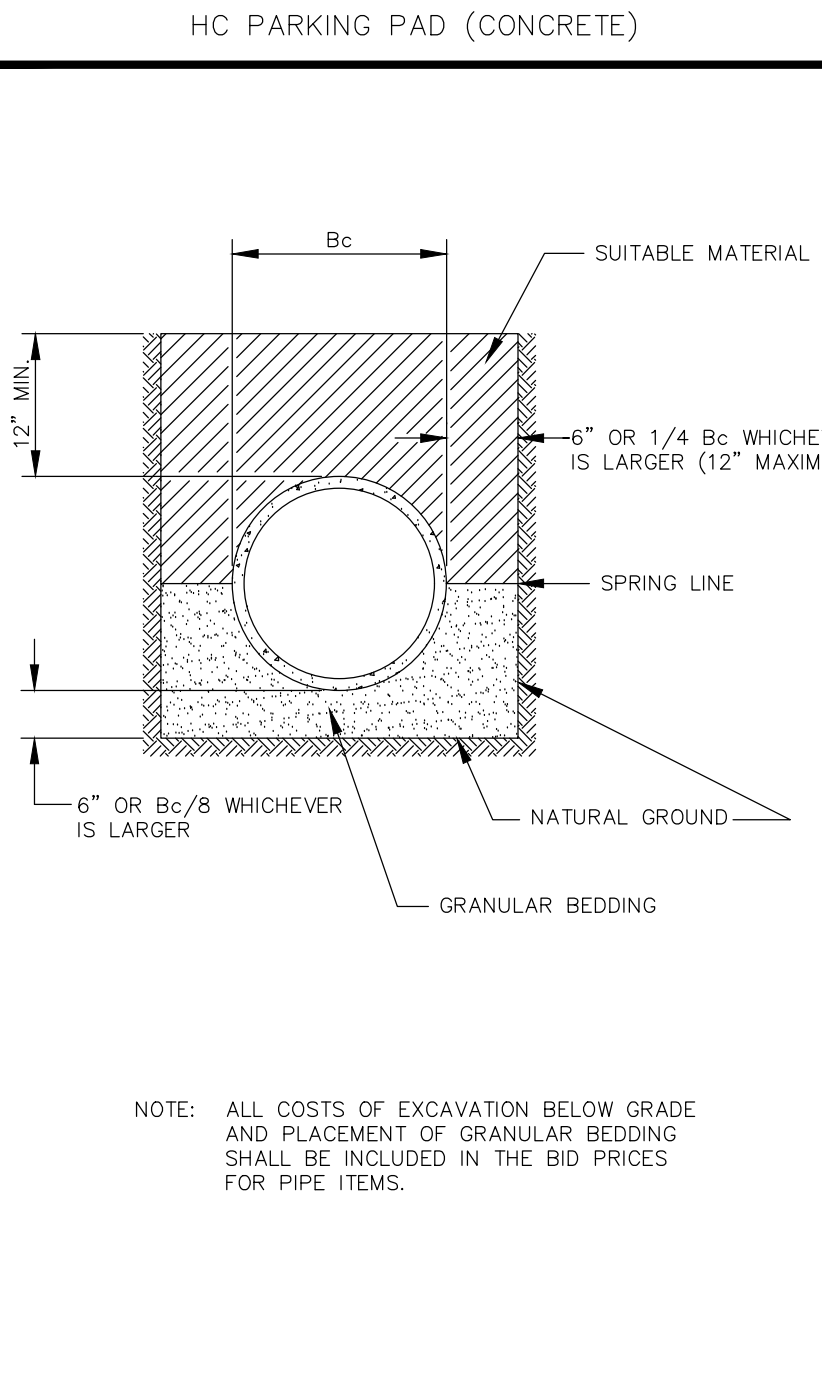
SECTION A-A



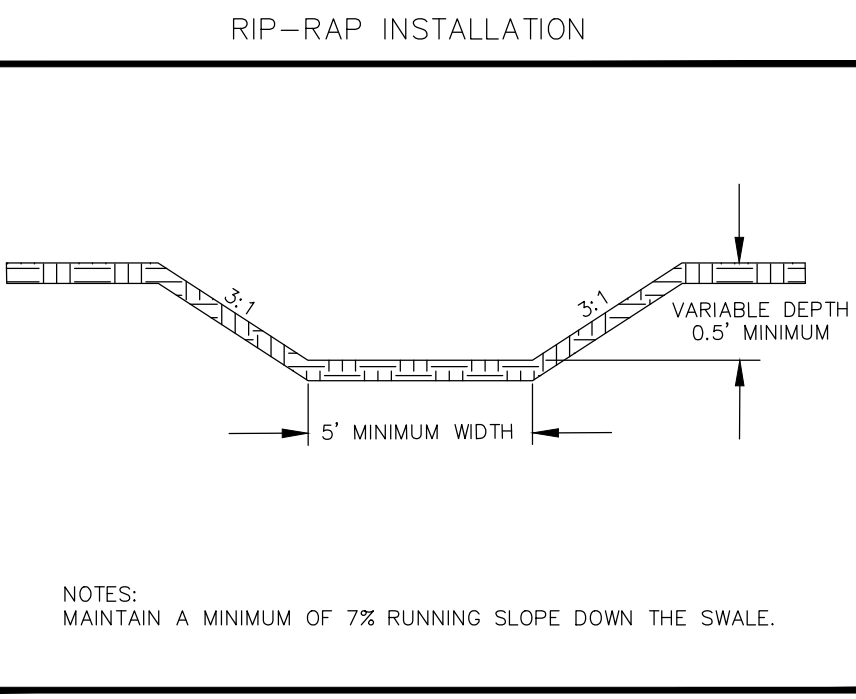
SILT FENCE DETAIL
NOTE:
1. SILT FENCES CONSTRUCTED WITH SUPPORT FENCES, POSTS SHALL BE SPACED AT 10' OR LESS, AND DRIVEN AT LEAST 2' INTO THE GROUND.
2. SILT FENCES CONSTRUCTED WITHOUT SUPPORT FENCES, POST SHALL BE SPACED AT 4' OR LESS, AND DRIVEN AT LEAST 3' INTO THE GROUND.



NOTE: CONSTRUCTION ENTRANCE MUST HAVE A MINIMUM HEIGHT OF 2- FEET ABOVE THE ADJACENT ROADWAY WITH MAXIMUM SIDE SLOPES OF 4:1

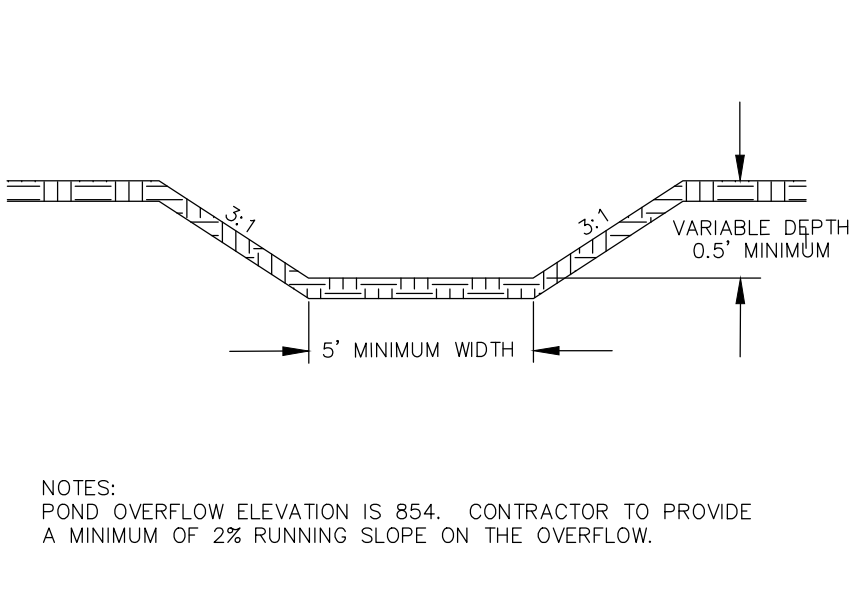


NOTE: ALL COSTS OF EXCAVATION BELOW GRADE AND PLACEMENT OF GRANULAR BEDDING SHALL BE INCLUDED IN THE BID PRICES FOR PIPE ITEMS.

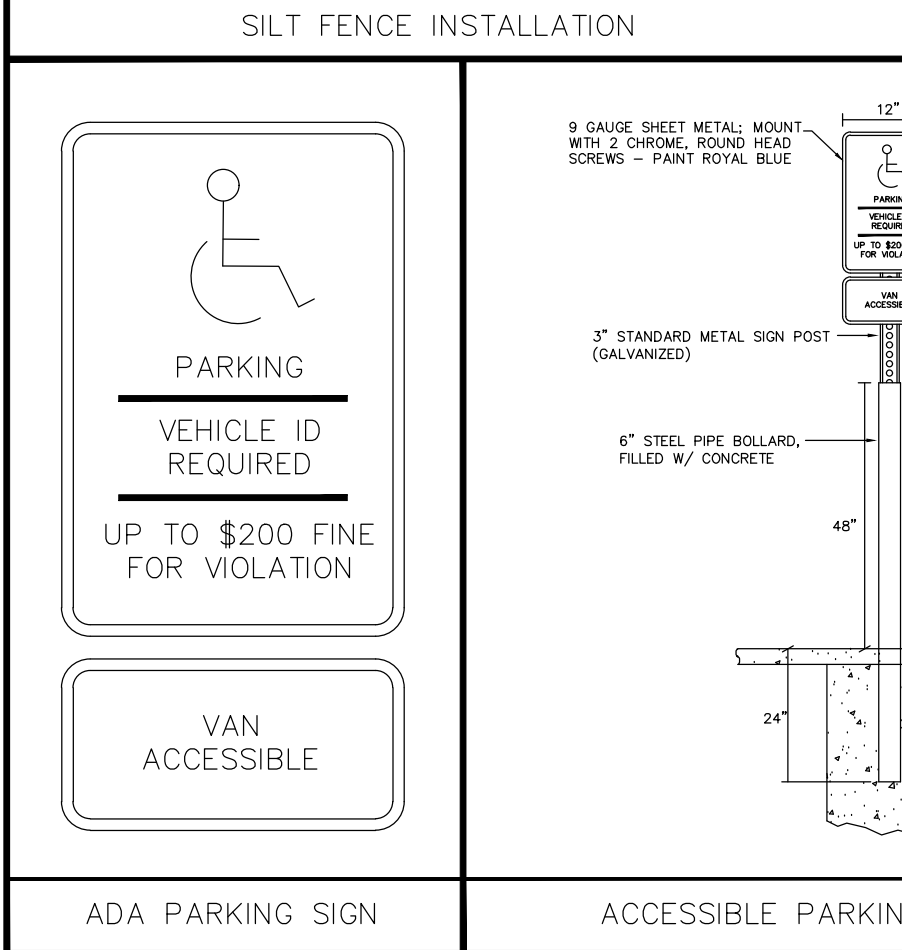


NOTES:
MAINTAIN A MINIMUM OF 7% RUNNING SLOPE DOWN THE SWALE.

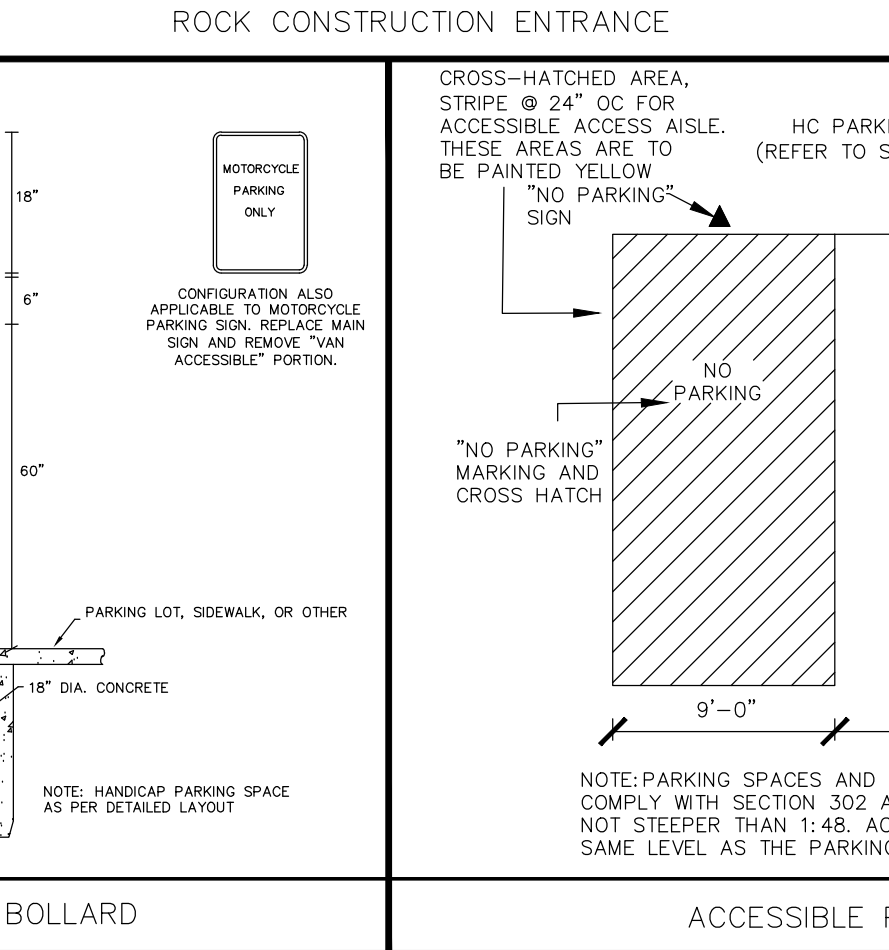
SOUTH DRAINAGE SWALE X-SECTION



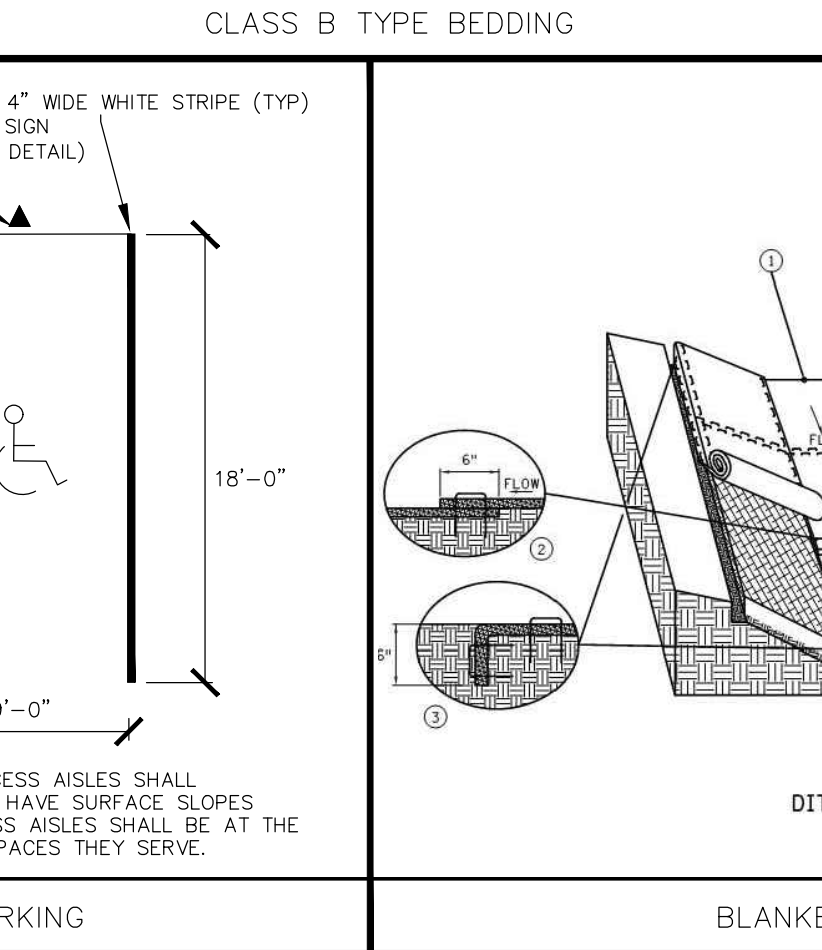
NOTES:
POND OVERFLOW ELEVATION IS 854. CONTRACTOR TO PROVIDE A MINIMUM OF 2% RUNNING SLOPE ON THE OVERFLOW.



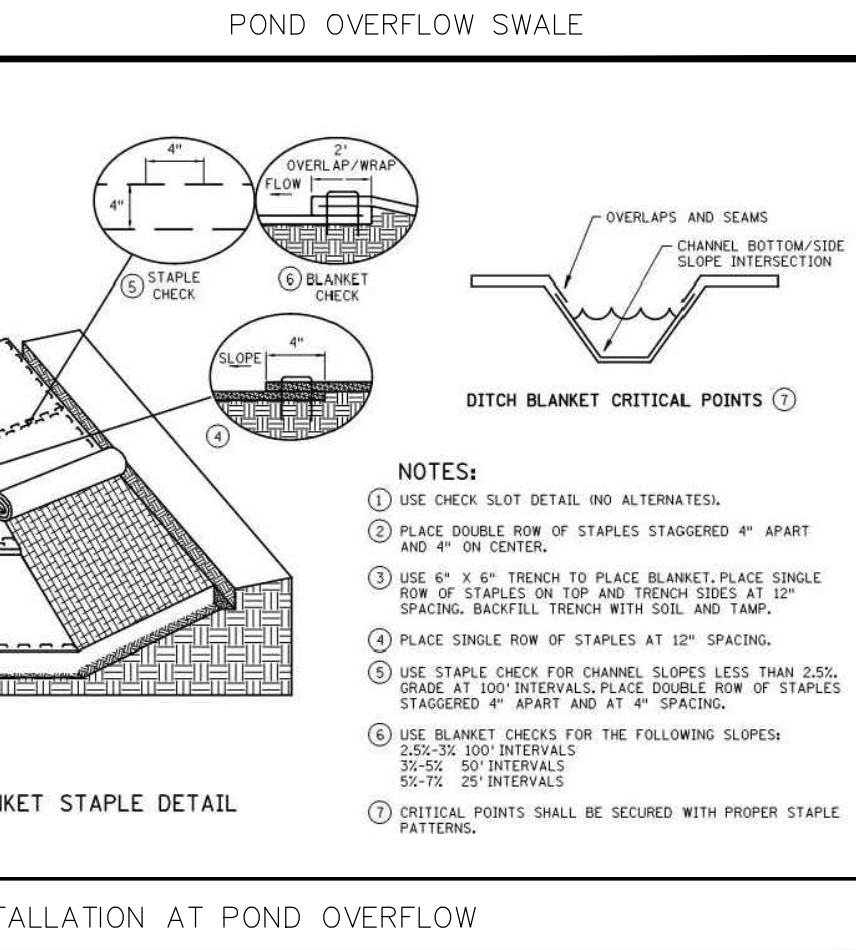
ADA PARKING SIGN



ACCESSIBLE PARKING BOLLARD



ACCESSIBLE PARKING



BLANKET INSTALLATION AT POND OVERFLOW

NO.	DATE	BY	REVISION DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, 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.
SIGNATURE *Lee Eleering* DATE 03/24/21
PRINTED NAME LEE ELEERING LIC. NO. 41613

LIVING SPACE BUILDING
2860 50TH ST E, INVER GROVE HEIGHTS
DETAILS

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 7/1/19
CAD FILE: ../Details/DWG

Storm Water Pollution Prevention Plan
2660 50th Street E

Healing Garden

Project Site Address:
2660 50th Street E, Inver Grove Heights
In Dakota County, Minnesota

Section 33, Township 28N, Range 22W

Project Owner: Healing Garden
PIN: 20–83400–01–080

I. Introduction

The purpose of this project is to construct a 106’ x 48’ building and associated parking lot for the proposed Living Space Landscape shop. The existing site contains a building, garage, shed, and bituminous driveway. The garage will be removed to allow for construction of the new shop and associated improvements, municipal utilities will be extended to the shop and existing house. The impervious surface will increase as a result of the project. The existing site drains to the southeast corner of the property. The proposed improvements will discharge to the same location.

Project Area:

Total Project Size (Disturbed Area) – 1.06 acres
Existing Area of Impervious Surface – 5,495 sq. ft.
Post Construction Area of Impervious Surface – 17,255 sq. ft.
Total New Impervious Surface Area Created – 11,759 sq. ft.

Stormwater Design Specifications – 2660 50th Street E

Drainage Area – 2.23 acres (Entire Site plus outside drainage)

	Existing Discharge Rate	Proposed Discharge Rate
2–Year	0.44 cfs	0.05 cfs
10–Year	1.93 cfs	0.97 cfs
100–Year	7.19 cfs	6.78 cfs

Existing North Basin – 100–Year HWL – 864.04
Southeast Infiltration Basin – 100–Year HWL – 853.18

Planned Construction Start Date – Spring 2021
Planned Construction Completion Date – Winter 2021

Special Environmental Considerations:

Was an environmental review required for this project or any part of a common plan of development or sale that includes all or any portion of this project?	NO
Does any portion of the site have the potential to affect threatened or endangered species or their critical habitat?	NO
Does any portion of this site discharge to a Calcareous fen and the letter of approval from the DNR is located in the Project Manual?	NO
Will any portion of the site potentially affect properties listed on the National Register of Historic Places or known or discovered archeological site?	NO
Have any Karst features been identified in the project vicinity?	NO
Is compliance with temporary or permanent storm water management design requirements infeasible for this project?	NO
Has the MN DNR promulgated "work in water restrictions" for any Public Water this site discharges to during fish spawning?	NO

General Stormwater Discharge Requirements:

All requirements listed in Part III of the Permit for the design of the permanent stormwater management systems and discharge have been included in the preparation of this SWPPP. These include but are not limited to:

- The expected amount, frequency, intensity, and duration of precipitation.
- The nature of stormwater runoff and run-on at the site.
- Peak flow rates and stormwater volumes to minimize erosion at outlets and downstream channel and stream bank erosion.
- The range of soil particle sizes expected to be present on the site.

Responsible Parties

- Owner – Healing Garden
- SWPPP Designer – Elfering & Associates. Contact: Kristina Elfering; Phone 763–780–0450

Training – University of Minnesota – Design of Construction SWPPP (May 31 2022)

- Contractor – To be determined
- Site Manager – To be determined
- Responsible Party for Long Term O&M – Healing Garden

Copies of a current Erosion and Stormwater Management card issued by the University of Minnesota shall be attached to the SWPPP as documentation of training.

II. SWPPP Coordination and Duties

The Contractor shall establish a chain of responsibility for their operations and their subcontractors’ operations to ensure that the Storm Water Pollution Prevention Plan is implemented over the life of the contract. The Contractor shall furnish a certified Erosion Control Supervisor. This supervisor shall be identified by name at the preconstruction conference and a contact number provided. Issues that arise during construction that impact the permit will be addressed, and if necessary, the supervisor will notify the proper regulatory official. It will be the responsibility of the Erosion Control Supervisor to implement the SWPPP during construction and maintain a quality control program. In addition, the Erosion Control Supervisor will:

- Oversee maintenance practices identified as BMP’s.
- Conduct or provide for inspection and monitoring activities.
- Identify other potential pollutant services and add them to the plan.
- Ensure that any changes in construction plans are addressed in the SWPPP.

The City will have their inspector monitor and inspect the activities as well, which in no way relieves the Contractor from performing these duties.

SWPPP Amendments:

Permittee must amend the SWPPP as necessary to include additional requirements to correct problems identified or address the following situations:

- There is a change in design, construction, operation, maintenance, weather or seasonal conditions.
- Inspections or investigations by site owner or operations, USEPA or MPCA officials determine the SWPPP is not minimizing discharge of pollutants to surface waters or underground waters or discharges are causing water quality standards exceedances.
- The SWPPP is not achieving the objectives of minimizing pollutants in stormwater discharges associated with construction activity, or the SWPPP is not consistent with the terms and conditions of the permit.
- The MPCA determines that the project’s stormwater discharges may cause, have reasonable potential to cause, or continue to non-attainment of any applicable water quality standard, or the SWPPP does not incorporate the applicable requirements of the permit.

III. Project Description

A. Existing Conditions/ Site Location

The existing site contains a building, garage, shed, and bituminous driveway. The majority of the site is wooded.

B. Construction Type

The project includes the removal of the existing garage and construction of a proposed building and parking lot.

All sediment and erosion control measures consist of installation of silt fence, a rock construction entrance, and other methods, if necessary, to prevent the migration of sediment and material. Restoration shall be completed by hydroseeding the disturbed vegetated areas upon completion of the grading operations.

Erosion Control Plan Sheet

– Sheet C3.0

C. Dewatering and Basin Draining:

Dewatering is not anticipated but if necessary turbid or sediment laden waters related to dewatering or basin draining shall be discharged to a temporary sedimentation basin on the project site. The site will be determined by the Contractor and approved by the Engineer prior to the start of dewatering operations. The area shall be excavated as a temporary measure to allow for collection of sediment laden water prior to discharge during construction of the project. The temporary basin may discharge to surface waters if the basin water has been visually checked to ensure adequate treatment has been obtained and that the nuisance conditions will not result from the discharge. Discharge points shall be adequately protected from erosion and proper velocity dissipation provided. The temporary basin shall be restored by the Contractor (incidental).

All water from dewatering or basin–draining activities must be discharged in a manner that does not cause nuisance conditions, erosion, or inundation of down stream waters. Discharge shall be clear, sediment free water on to a grassed area if discharged downstream or pumped and used on site in a manner that does not cause erosion.

D. Sediment Control Practices

Silt fence and/or biologs shall be placed at the downstream side of the disturbance area of the project.

IV. Identification of Potential Storm Water Contaminants

The purpose of this section is to identify pollutants that could impact storm water during construction operations. The possible pollutants that could be present in the storm water are listed in the following table.

Material	Physical Description	Storm Water Pollutant(s)	Location to be Used	Process for Containment
Concrete	White Solid	Limestone, sand	Curb & Gutter Structure Rings	Designated wash areas or complete removal from site
Hydraulic Oil/ Fluids	Brown oily petroleum	Mineral oil	Random leaks	Oil absorbing diapers, trained personnel
Gasoline	Colorless	Petroleum Hydrocarbon benzene	Machinery used in construction	Oil absorbing diapers, trained personnel
Antifreeze	Clear/ green/ yellow	Ethylene glycol, propylene glycol	Machinery used in construction	Trained personnel
Wastewater from Construction	Equipment washing	Water, soil, oil and grease	Not allowed within project limits	
Cleaning Solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No cleaning equipment in project limits, Trained applicators for concrete cleaning and prep work	Tarps
Permanent Fertilizer	Liquid or solid grains	Nitrogen, phosphorous, potassium, chlorides	Newly seeded areas	Organic base, slow release forms only
Erosion	Solid Particles	Soil, sediment	Project limits	Rapid stabilization measures

V. Potential Areas for Storm Water Contamination

The following potential areas were identified as possible storm water contamination areas:

- Areas of pavement disturbance
- Areas of utility installation

VI. Storm Water Management Controls

The controls will provide soil stabilization for disturbed areas and structural controls to divert runoff and remove sediment. Care will be taken to provide restoration as soon as grading operations cease.

A. Temporary Erosion Control

The estimated quantities for the erosion prevention and sediment control items are as follows:

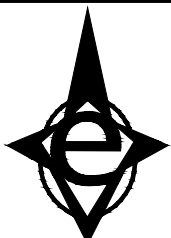
ITEM	QUANTITY
Rock Construction Entrance	1 – Each
Silt Fence	390 – Linear Feet
Biolog (Perimeter Control)	540 – Linear Feet
Biolog Swale Checks	6 @ 15’ Each

Vegetation in areas not needed for construction shall be preserved. The allowable amount of time a site can remain without stabilization when not being worked on is 7 days. In the case where construction activity temporarily ceases for the amount of time listed above, stockpiles and disturbed portions of the site will be stabilized with temporary seed and mulch. The temporary seed shall be Mn/DOT Mixture 21–113 for seeding between May 1 and August 1 and Mn/DOT Mixture 100 after August 1. The Contractor will prepare each area for permanent restoration as soon as construction in that area is completed.

VII. Best Management Practices

A. Site Wide Control Measures

- To prevent soil from being transported off site, for both the undisturbed and disturbed areas of the site, the following BMPs will be implemented onsite:
- Construction sequencing will allow areas to be undisturbed until necessary for construction.
 - The smallest vegetated area possible will be disturbed during construction.
 - After construction in an area is completed, the Contractor shall immediately restore that area to its existing condition.
 - Topsoil stockpiles will be stabilized with temporary seed and mulch no later than 3 days from the last construction activities that formed the stockpiles. The Rapid Stabilization Method 3 will be used to stabilize the topsoil. The Rapid Stabilization method includes quick temporary seed and quick release fertilizer. If necessary, this work shall be incidental to the project.
 - A weekly written erosion control schedule will be required. It will discuss, among other items listed in the Construction Specifications, how related work to offsite drainage will be incorporated into the weekly erosion plan schedule, how the SWPPP is functioning and any necessary changes that need to be discussed. A fine of \$1000 per day will be enforced if the Contractor fails to perform as outlined in the SWPPP and/or Specification.
 - Remove all soils and sediments tracked or otherwise deposited onto public streets outside of the project area. If tracking occurs the City may order sweeping to be completed at no cost with a pick–up broom sweep.
 - All measures contained in this document shall be completed by the contractor at no cost unless specific bid items are included.



ELFERING & ASSOCIATES
10002 PLANDERM CT NE
BURLING, MN 55449
PH: 763-780-0450

NO.	DATE	BY	REVISION DESCRIPTION
1	02/23/21	LE	MINOT COMMENT REVISIONS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, 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.

SIGNATURE: *Kristina Elfering* DATE: 03/24/21
PRINTED NAME: KRISTINA ELFERING LIC NO.: 42350

HEALING GARDEN REMODEL
2660 50TH ST E, INVER GROVE HEIGHTS
STORM WATER POLLUTION PREVENTION PLAN

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 01/15/21
CAD FILE: ./SWPPP.DWG

SHEET
C6.0

B. Construction Practices to Minimize Storm Water Contamination

The Contractor's Erosion Control Supervisor will instruct all personnel by regarding the correct procedure for waste disposal. Good housekeeping and spill control practices will be followed during construction to minimize storm water contamination from petroleum products, fertilizer, and concrete.

- All nonhazardous waste materials will be collected and stored in a secure dumpster or another approved containment method at the end of each day.
- All trash and construction debris from the site will be deposited in the dumpster.
- No construction materials will be buried onsite.
- A licensed sanitary waste management contractor will collect all sanitary waste from any portable units at a rate necessary to maintain designated function.
- Partially used fertilizer bags will be transferred to a sealable bin to prevent spills.
- All vehicles left onsite will be monitored for leaks to reduce the chance of contamination.
- Petroleum products will be stored in tightly sealed, properly labeled containers. An effort will be made to store only enough product required to complete the job.
- Products will be kept in their original containers with the original manufacturer's label. Manufacturers' recommendations for proper use and disposal will be followed.
- Materials and equipment necessary for spill cleanup will be kept in the temporary material storage trailer onsite.
- All spills will be cleaned up immediately upon discovery. Spills large enough to reach the storm conveyance system will be reported to the MPCA State Duty Officer at 1-800-422-0798.
- The Contractor shall comply with applicable State and local waste disposal, sanitary sewer, or septic system regulations. In the event of a conflict with other government laws, rules and regulations, the more restrictive laws, rules or regulations shall govern.

VIII. Coordination of BMPs with Construction Activities

Structural BMPs shall be in place prior to construction. The following is a sequence of the major activities on the project:

1. Silt Fence shall be installed before any grading begins.
2. Utility installation
3. Complete grading
4. Construct parking lot
5. Stabilize disturbed areas as soon as possible according to the SWPPP.
6. Permanent erosion control measures shall be installed (hydroseeding) by the Contractor.
7. Remove temporary erosion control materials once construction has ceased.

Construction is anticipated to begin in Spring 2021. Final completion is set for Winter 2021.

IX. Maintenance/Inspection Procedures

C. Inspections

The following inspection and maintenance practices will be used to maintain erosion and sediment controls:

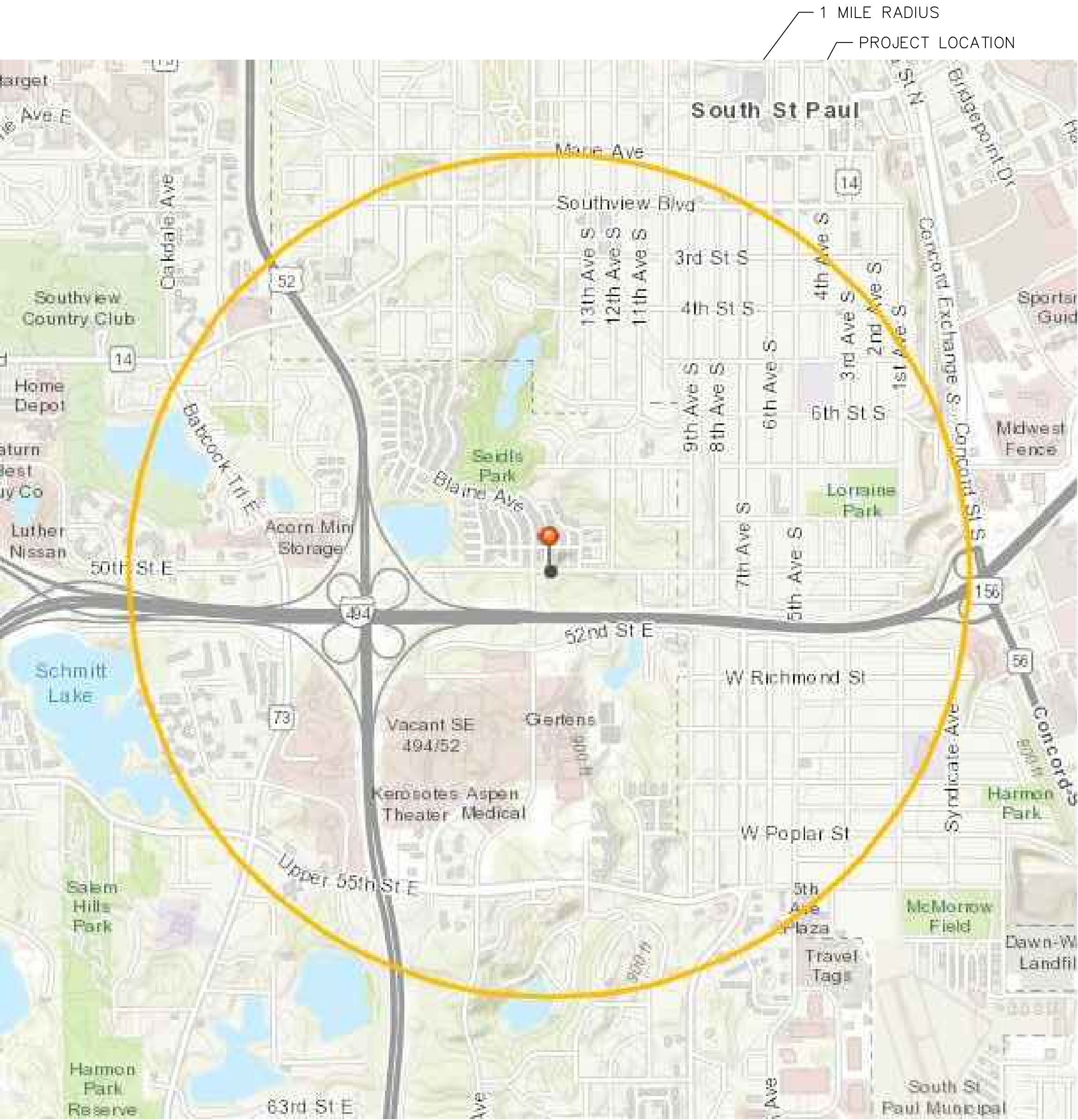
- All erosion control measures shall be inspected at least once per week and within 24 hours of all storm events greater than 0.5 inches. All measures will be maintained in good working order.
- Built up sediment shall be removed from silt fence within 24 hours when it has reached 1/3rd the height of the fence.
- Temporary and permanent seeding and/or planting will be inspected for bare spots and washouts.
- The outlets of all culverts are intact and functioning as designed.
- A maintenance inspection report will be completed by the Contractor and submitted to the Owners representative for each inspection.
- If construction activities or design modifications are made to the site plan that could impact storm water, this SWPPP will be amended appropriately. The amended SWPPP will have a description of the new activities that contribute to the increased pollutant loading and the planned source control activities.

X. Soil Types

The soils report completed for the site indicate the dominant soils in the area are glacial till deposits of sands. Bedrock is typically less than 100 feet below the surface and is commonly from the St. Peter Sandstone. Borings encountered layers of silty sands, silts and cleaner snads having littel silt or clay (poorly graded sands). The deeper soils in the borings tended to be dominated by silty sands and no bedrock was encountered.

Receiving waters, including surface water, wetlands, and Public Waters are identified within one mile of the project location.

Name of Water Body	Type	Appendix A Special Water	Impaired Water within 1 Mile	USEPA Approved TMDL
Seidls Lake	Lake	No	No	N/A
Schmitt Lake	Lake	No	No	N/A
3 Unnamed	Waterbodies	No	No	N/A



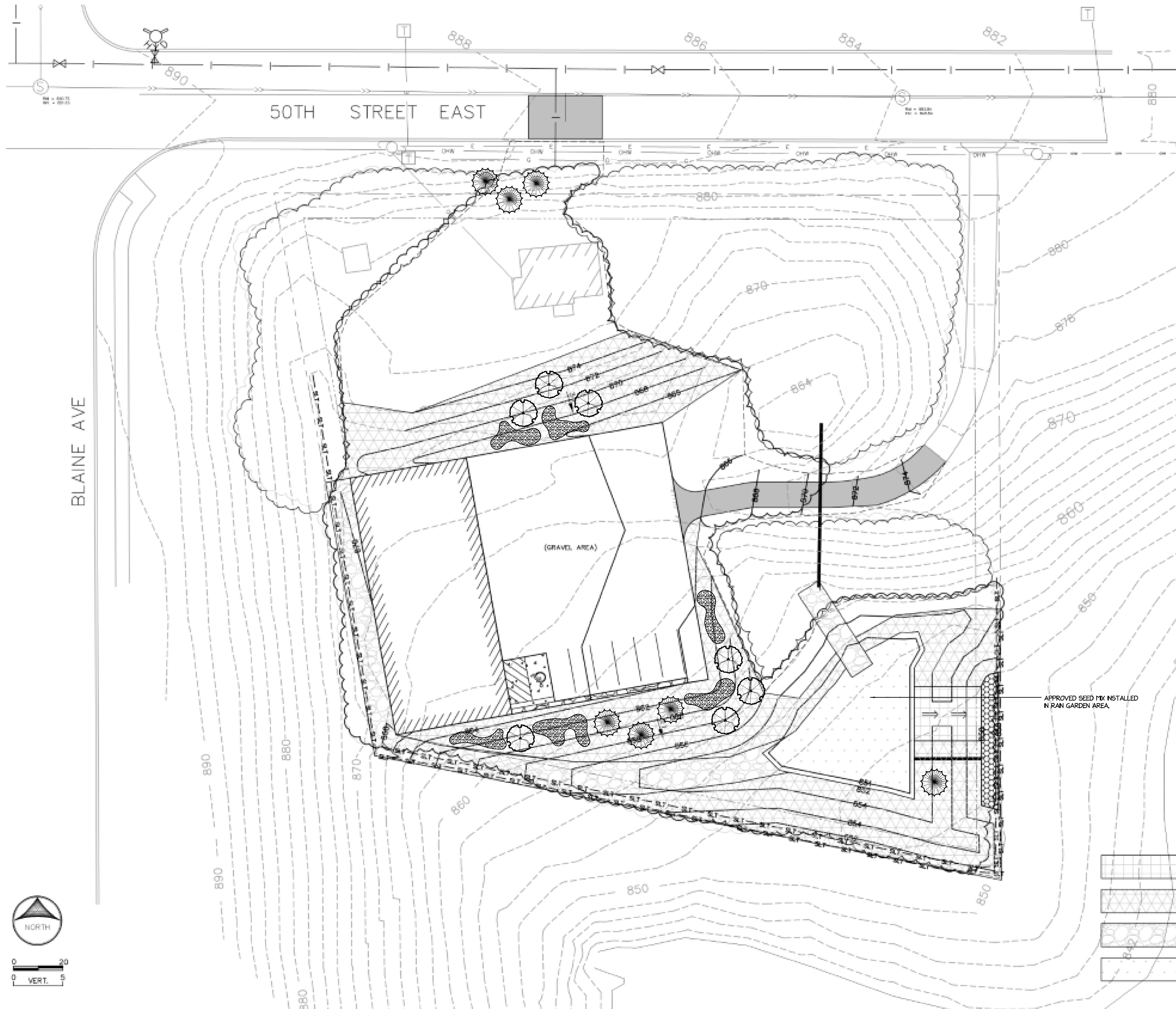
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SIGNATURE: *Kristina Elfering* DATE: 30/24/21
PRINTED NAME: KRISTINA ELFERING LIC NO.: 42350

HEALING GARDEN REMODEL
2660 50TH ST E, INVER GROVE HEIGHTS
STORM WATER POLLUTION PREVENTION PLAN

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 01/15/21
CAD FILE: ./Existing.DWG



LEGEND

EXISTING SANITARY SEWER	---
EXISTING STORM MANHOLE	●
EXISTING STORM SEWER	---
EXISTING SANITARY MANHOLE	○
EXISTING WATER MAIN	---
EXISTING GATE VALVE	+
TELEPHONE PEDESTAL	TM
TELEPHONE CABLE	TELE
TELEPHONE MANHOLE	TM
FIBER OPTIC CABLE	FO
FIBER OPTIC HAND HOLE	FO
OVERHEAD WIRES	OHW
ELECTRICAL BOXES	EB
GAS MAIN	---
UTILITY POLE	U
GUY OR ANCHOR	GA
STREET LIGHT	SL
GUARD POST	GP
SIGN	S
PROPOSED BITUMINOUS	---
PROPOSED CONCRETE	---

NEW SPECIMEN EVERGREENS

NEW ORNAMENTAL TREES

NEW ASSORTED PERENNIALS

INFILTRATION BASIN NOTES:

1. THE CONTRACTOR SHALL EXERCISE CARE TO MINIMIZE COMPACTION OF SOILS IN AND AROUND THE INFILTRATION AREA DESIGNATED ON THE PLAN. EXCAVATION AND/OR PLACEMENT OF MATERIAL IN THE INFILTRATION AREA SHALL BE BY BACKHOE FROM THE PERIMETER. IF EQUIPMENT IS USED IN THE INFILTRATION AREA THE BOTTOM SHALL BE RIPPED A MINIMUM DEPTH OF 2 FEET BELOW THE LOWEST EXCAVATED ELEVATION.
2. THE TOPSOIL USED IN THE INFILTRATION AREA SHALL CONSIST OF 3 PARTS SOIL (6") WITH 2 PARTS COMPOST (4") UNIFORMLY MIXED PRIOR TO PLACEMENT. IT IS ASSUMED THAT MIXING 6" OF SOIL WITH AN EQUIVALENT 4" OF COMPOST WILL RESULT IN A DEPTH AFTER PLACEMENT OF 8 INCHES DUE TO COMPRESSION OF THE COMPOST. COMPOST MATERIAL SHALL MEET THE REQUIREMENTS OF MNDOT STANDARD SPECIFICATION 3890 FOR GRADE 2 COMPOST.

RESTORATION NOTES:

1. BLACK DIRT SALVAGED FROM THE SITE SHALL BE RESPREAD OVER DISTURBED AREAS EXCLUDING THE FILTRATION AREA OF THE POND TO A MINIMUM THICKNESS OF FOUR INCHES (4"). IF SUFFICIENT SALVAGED TOPSOIL DOES NOT EXIST THE CONTRACTOR SHALL UTILIZE TOPSOIL BORROW.
2. ALL DISTURBED AREAS NOT SPECIFICALLY NOTED FOR A RESTORATION METHOD SHALL BE HYDROSEEDING, FERTILIZED, AND HYDROMULCHED. USE MNDOT SEED MIX 25-151. UTILIZE THE MANUFACTURER'S RECOMMENDED TYPES AND RATES FOR FERTILIZER AND HYDROMULCH BASED ON SOIL CONDITIONS AND SLOPES. HYDROMULCH MUST PREVENT EROSION UNTIL VEGETATION ESTABLISHMENT.

	POND OVERFLOW AREA RESTORE WITH SEED MIX MNDOT 25-151 AND CATEGORY VI OR VII EROSION BLANKET
	3:1 SLOPE AREAS RESTORE WITH SEED MIX MNDOT 25-151 AND CATEGORY II EROSION BLANKET
	DRY CREEK BED AREAS AREA TO BE RESTORED WITH A COMBINATION OF GRAVEL, STONE, AND BOULDERS.
	INFILTRATION POND AREA RESTORE WITH SEED MIX MNDOT 35-241 MESIC PRAIRIE APPROVED RAN GARDEN SEED MIX



NO.	DATE	BY	REVISION DESCRIPTION

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SIGNATURE: *Lee Elfering* DATE: 01/15/21
PRINTED NAME: LEE ELFERING LIC. NO.: 41613

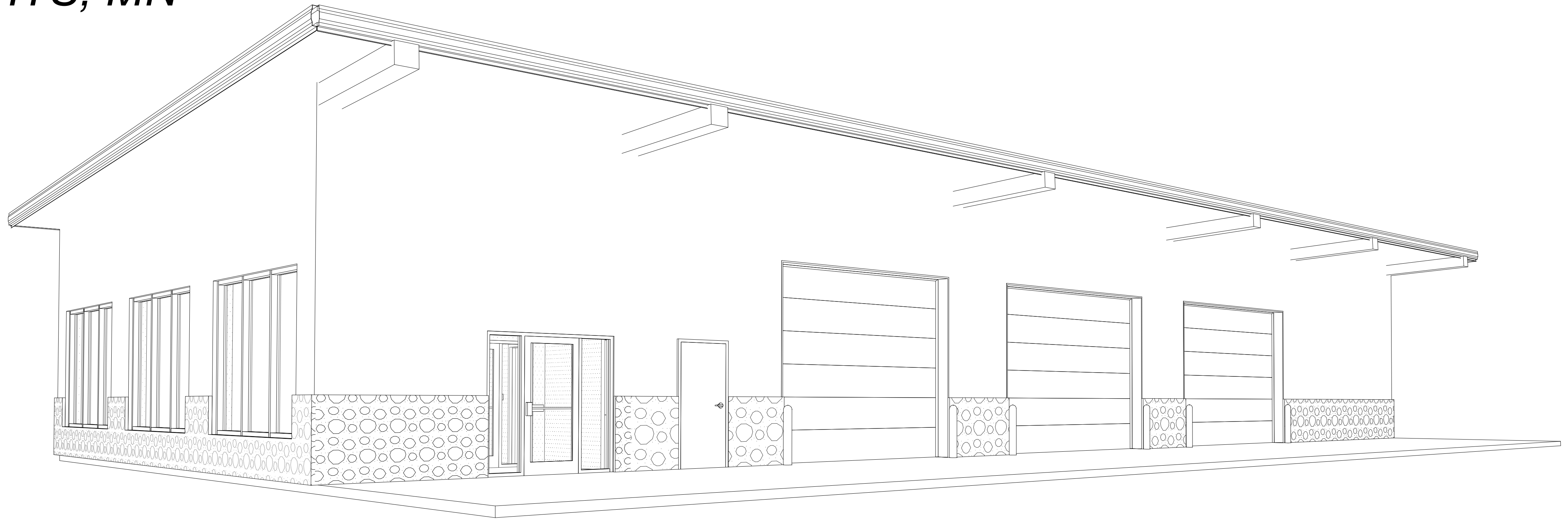
LIVING SPACE BUILDING
2660 50TH ST E, INNER GROVE HEIGHTS
GRADING PLAN AND EROSION CONTROL
LANDSCAPE PLAN

DESIGNED BY:	KJE
APPROVED BY:	KJE
DRAWN BY:	LVE
JOB NUMBER:	800258E
CAD DATE:	6/3/19
CAD FILE:	GRADING PLAN

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LIVING SPACE LANDSCAPES

INVER GROVE HEIGHTS, MN



GENERAL NOTES:

- ALL STRUCTURAL METAL FRAMING (PRIMARY & SECONDARY FRAMING) IS DESIGNED BY METAL BUILDING MANUFACTURER (PRE-ENGINEERED METAL BUILDING OR "PEMB"). STRUCTURAL METAL FRAME SHOWN IN ARCHITECTURAL DRAWINGS IS FOR REPRESENTATION ONLY. VERIFY SIZE & LOCATION WITH PEMB DRAWINGS.
- ALL BATH MIRRORS TO BE SUPPLIED BY GLASS CONTRACTOR.
- ALL HANDRAILS, IF ANY, ARE TO BE INSTALLED AT BOTH SIDES OF STAIR AND/ OR RAMP.
- ALL TRADES SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL BUILDING CODES
- ALL TRADES TO CALL FOR THEIR OWN REQUIRED INSPECTIONS & MUST OBTAIN ANY REQUIRED PERMITS.
- NOTIFY KCI OF ANY DISCREPANCIES ON THESE PLANS

- FRAMING & DRYWALL
- ALL NEW STEEL STUDS FOR PARTITION FRAMING SHALL BE MINIMUM 2'-0" O.C. 20 GAUGE. INCREASE GAUGE AS NECESSARY DUE TO HEIGHT, THICKNESS, BEARING, ETC., REFER TO STRUCTURAL.
- CARPENTER TO PROVIDE BACKING FOR GRAB BARS, BATH ACCESSORIES, TOILET PARTITIONS, & MILLWORK. COORDINATE WITH MILLWORK CONTRACTOR FOR BACKING LOCATIONS.
- CARPENTER TO INSTALL ALL DOORS WITH HARDWARE, BATH ACCESSORIES, TOILET PARTITIONS, & DOOR SIGNAGE.
- FRAME/FURR OUT COLUMNS IN OFFICE AREA TO SMALLEST PROFILE.

- DIMENSIONS
- ALL DIMENSIONS FOR INTERIOR PARTITION FRAMING IS TO CENTERLINE OF WALL UNLESS OTHER WISE NOTED.
- ALL DIMENSIONS FROM THE EXTERIOR START / END ON "STEEL LINE" UNLESS OTHERWISE NOTED.

- MECHANICAL / ELECTRICAL / PLUMBING
- MECHANICAL, ELECTRICAL, AND PLUMBING TO BE DESIGN BUILD.
- MECHANICAL, ELECTRICAL, AND PLUMBING DESIGN BY OTHERS. ALL WORK SHOWN ON ARCHITECTURAL DRAWINGS THAT IS M/E/P IS FOR REFERENCE ONLY. SEE ALL NOTES FOR ADDITIONAL M/E/P INFORMATION
- VERIFY MECHANICAL, ELECTRICAL, AND PLUMBING EQUIPMENT LOCATIONS WITH GENERAL AND/OR OWNER.
- GRAB BARS TO BE SUPPLIED BY PLUMBER & INSTALLED BY CARPENTER.
- BATH FANS, GAS PIPING, THERMOSTATS, MOTOR STARTERS, ALL CONTROLS & RELAYS TO BE SUPPLIED & INSTALLED BY MECHANICAL.
- ALL CONTROL WIRING TO BE BY ELECTRICIAN.
- ELECTRICAL TO ENSURE PROPER LIFE SAFETY LIGHTING, EMERGENCY LIGHTING, AND EXIT SIGNAGE TO PROVIDE AS ACCESS TO EXIT(S).

DESIGN CRITERIA:

1. STRUCTURE DESIGN SHALL COMPLY WITH BUILDING CODES REQUIRED BASED ON BUILDING LOCATION.
2. DESIGN WIND LOAD: BY METAL BUILDING MFR, REFER TO PEMB PLANS.
3. SNOW LOAD: BY METAL BUILDING MFR, REFER TO PEMB PLANS.
4. ROOF LIVE LOAD: BY METAL BUILDING MFR, REFER TO PEMB PLANS.
5. ROOF DEAD LOAD: 3 PSF (3/4" MTL LINER, 3" ISO RIGID, 3" EPS RIGID, & SSR PANEL)
6. COLLATERAL LOAD: 2 PSF
7. MEZZANINE LIVE LOAD FOR STORAGE: 125 PSF
8. MEZZANINE LIVE LOAD FOR OFFICE: 70 PSF
9. MEZZANINE DEAD LOAD BASED ON CONCRETE THICKNESS, REFER TO STRUCTURAL.

SITE & BUILDING CODE REVIEW:

1. CODES:
2. AREA OF SITE:
3. AREA OF BUILDING:
4. AREA OF MEZZANINE:
5. BUILDING CONSTRUCTION TYPE:
6. BUILDING OCCUPANCY GROUPS:
7. AUTOMATIC FIRE SUPPRESSION SYSTEM:
8. SEPARATION BASED ON OCCUPANCY GROUPS:
9. ALLOWABLE FLOOR AREA (TABLE 503):
10. FRONTAGE INCREASE BASED ON PROPERTY SIZE AND LOT LINE LOCATIONS:
11. INCREASE FOR AUTOMATIC FIRE SUPPRESSION SYSTEM:
12. TOTAL ALLOWABLE FLOOR AREA:
13. OCCUPANT LOAD:
14. PLUMBING FIXTURES PROVIDED:
15. PLUMBING FIXTURES REQUIRED:

BUILDING ENVELOPE PENETRATIONS

1. ANY PENETRATIONS THROUGH ANY OF THE BUILDING ENVELOPE (ROOF, WALLS, ETC) NEEDS TO BE APPROVED & VERIFIED BY KCI BEFORE ACTION
2. ANY EQUIPMENT ON ROOF NEEDS TO BE APPROVED BY KCI.
3. ALL VENTING DURING THE ESTIMATING PHASE SHOULD BE INCLUDED TO VENT THROUGH THE WALL UNLESS NOT APPROVED BY CODE.
4. ALL EQUIPMENT DURING THE ESTIMATING PHASE SHOULD BE INCLUDED NOT ON THE ROOF UNLESS OTHERWISE DIRECTED BY KCI.

CRITICAL PROJECT NOTES:

Sheet List	
Sheet Number	Sheet Name
A0.1	COVER PAGE / CODE REVIEW
A1.1	EXTERIOR ELEVATIONS
A2.1	FIRST FLOOR PLAN
A3.1	REFLECTED CEILING PLAN
A4.1	BUILDING SECTIONS
A5.1	ENLARGED BATHROOMS, SCHEDULES AND TYPICAL DETAILS
A6.1	ROOF PLAN
A7.1	DOWNSPOUT LAYOUT
E.1	ELECTRICAL CONCEPT PLAN

INFORMATION TO BE VERIFIED:



Certification

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 1/31/2021

Michael J. Monn Registration. No.: 21772

Healing Garden

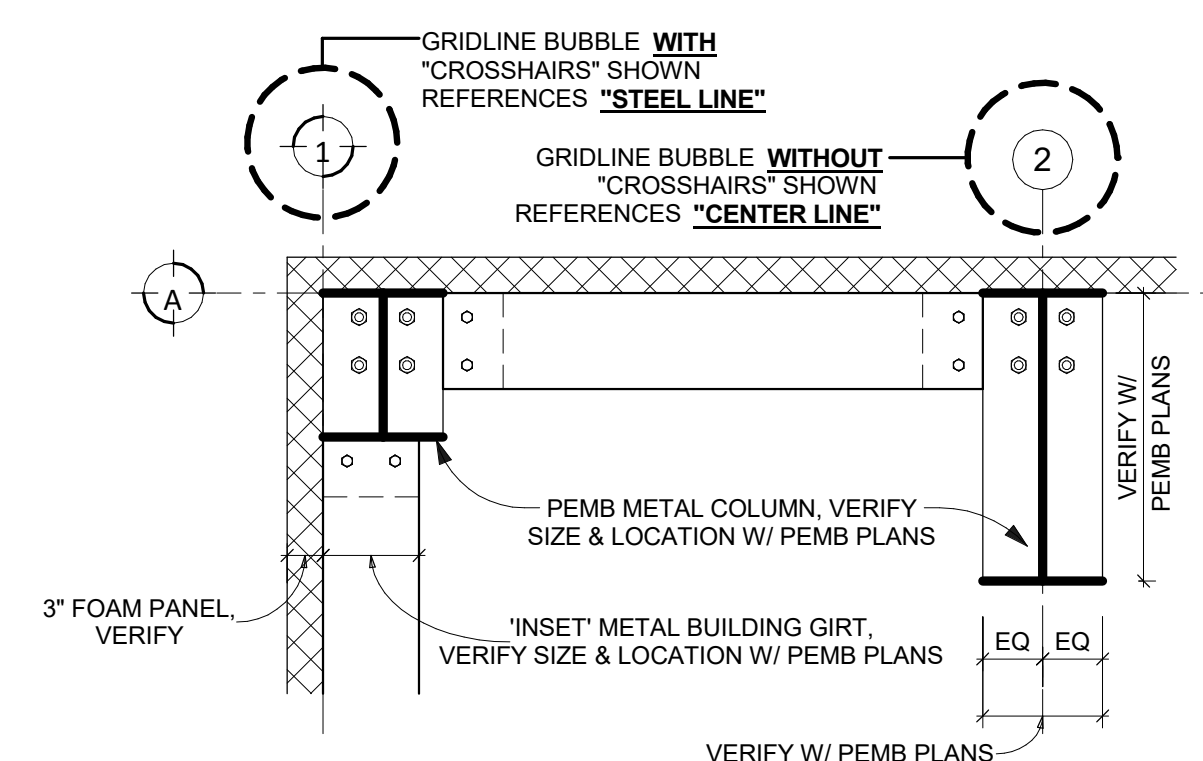
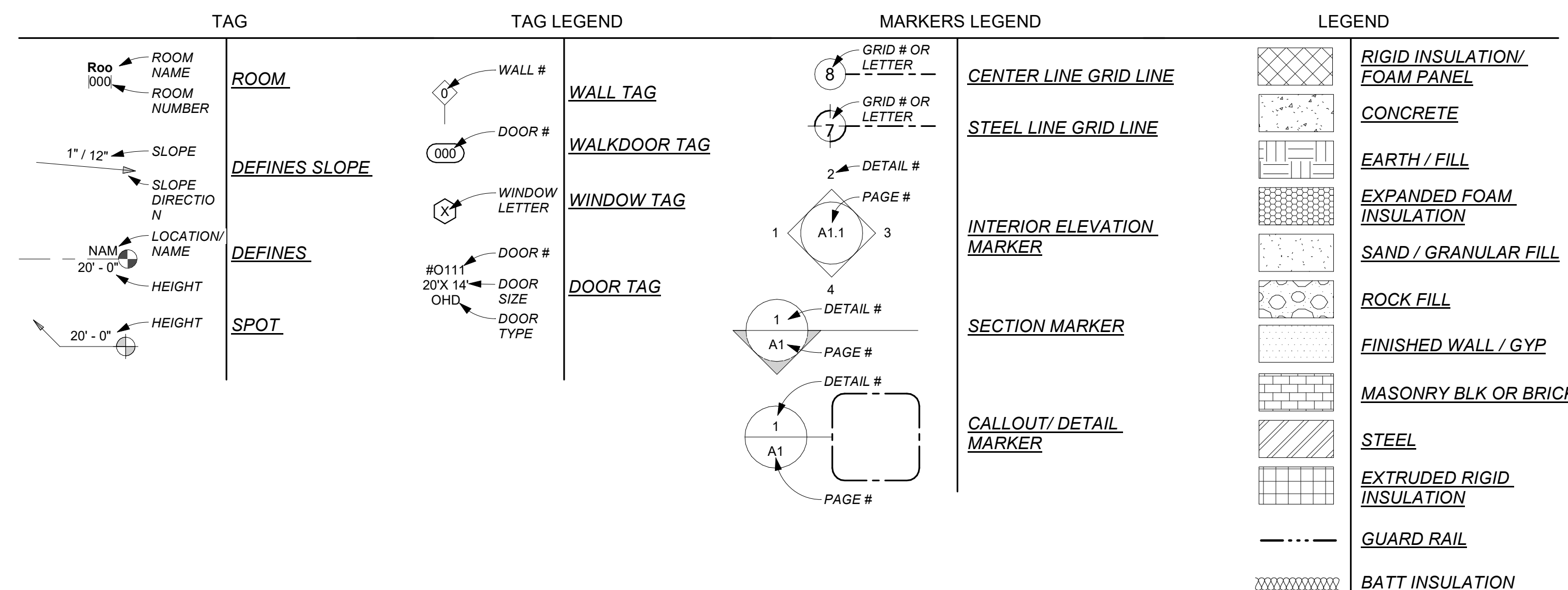
Inver Grove Heights, MN

COVER PAGE / CODE REVIEW

A0.1

Project # **Project Number**Date **03.30.21**

Scale ***As indicated***



Gridline Definitions (Steel Line VS Center Line)



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8.18.20 • 06.11.20

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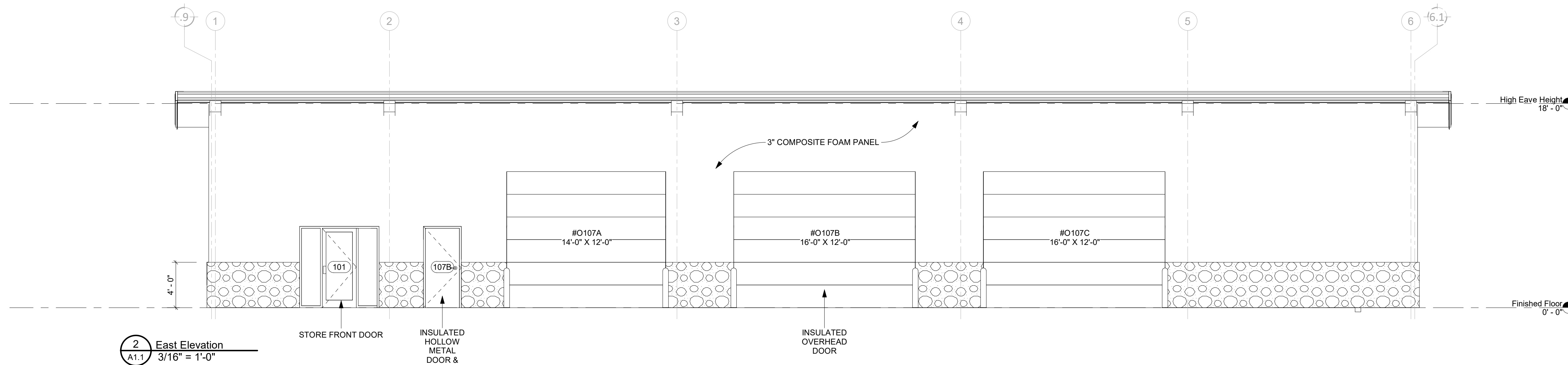
Healing Garden Inver Grove Heights, MN EXTERIOR ELEVATIONS

A1.1

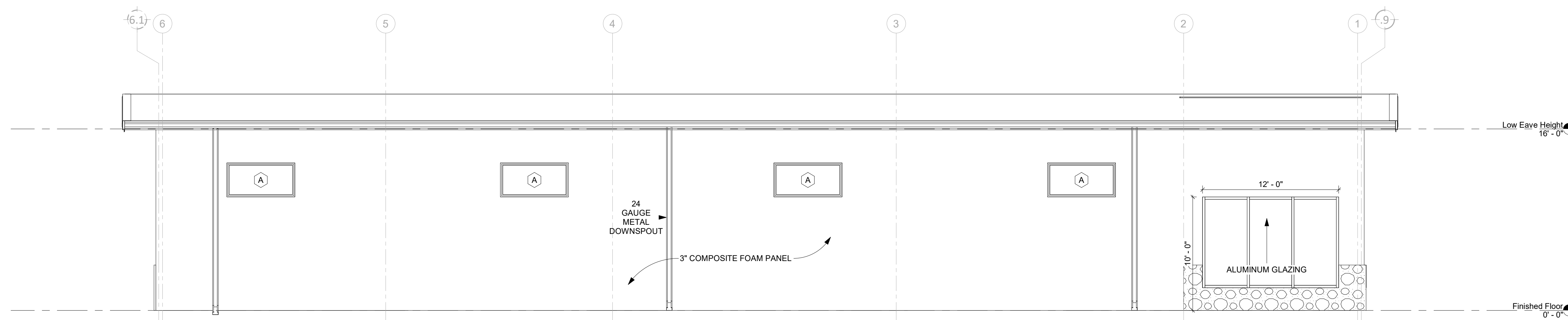
Project # **Project Number**

Date **03.30.21**

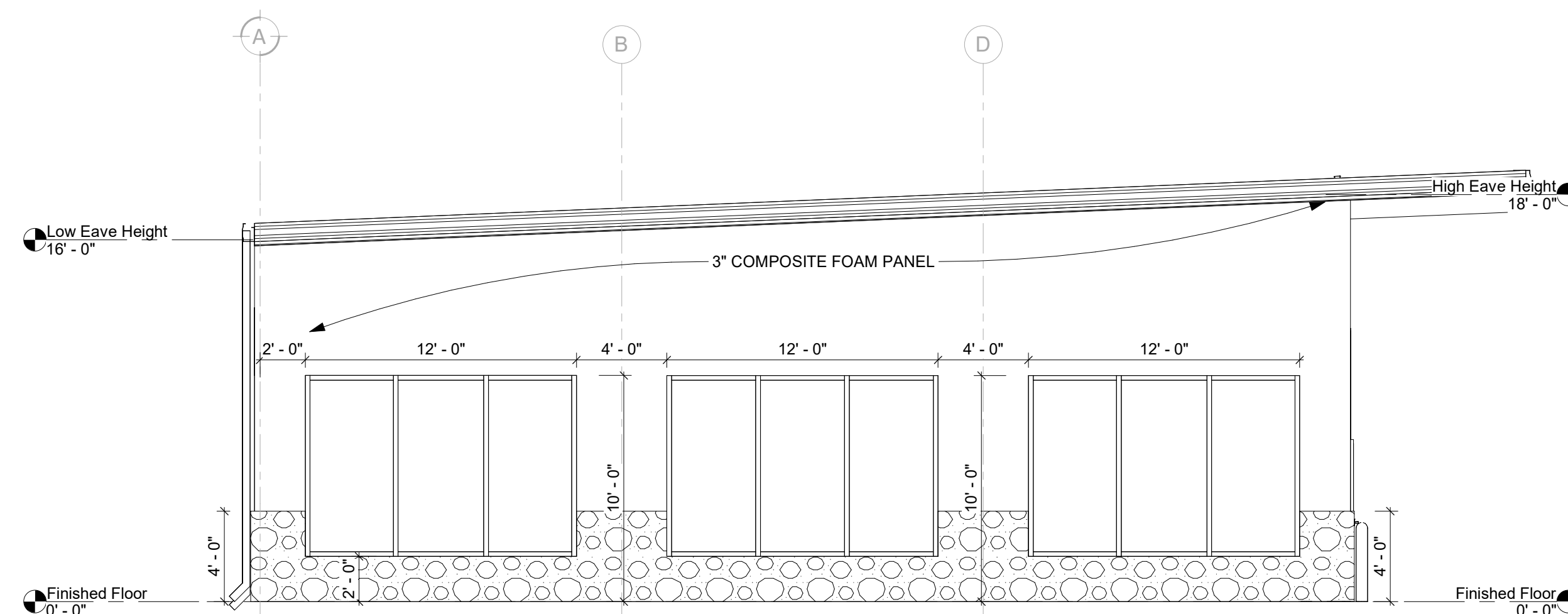
Scale **3/16" = 1'-0"**



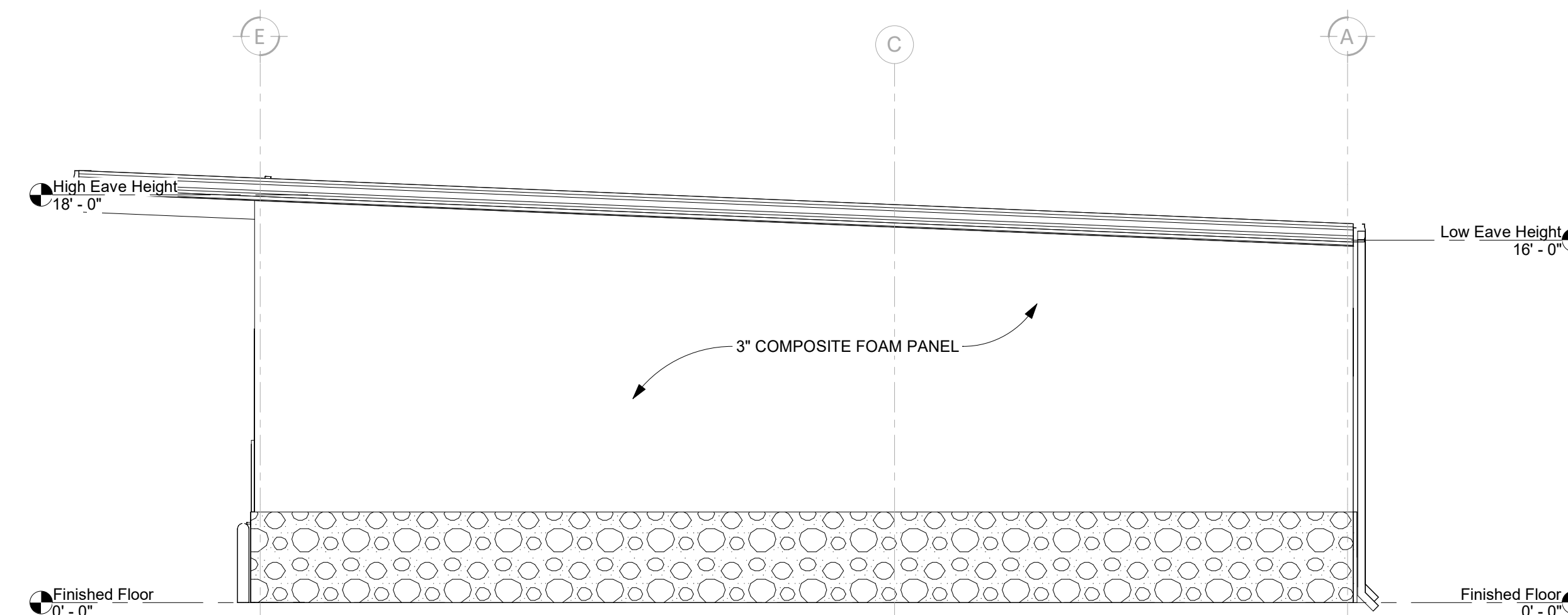
2 East Elevation
A1.1 3/16" = 1'-0"



4 West Elevation
A1.1 3/16" = 1'-0"



3 South Elevation
A1.1 3/16" = 1'-0"



1 North Elevation
A1.1 3/16" = 1'-0"



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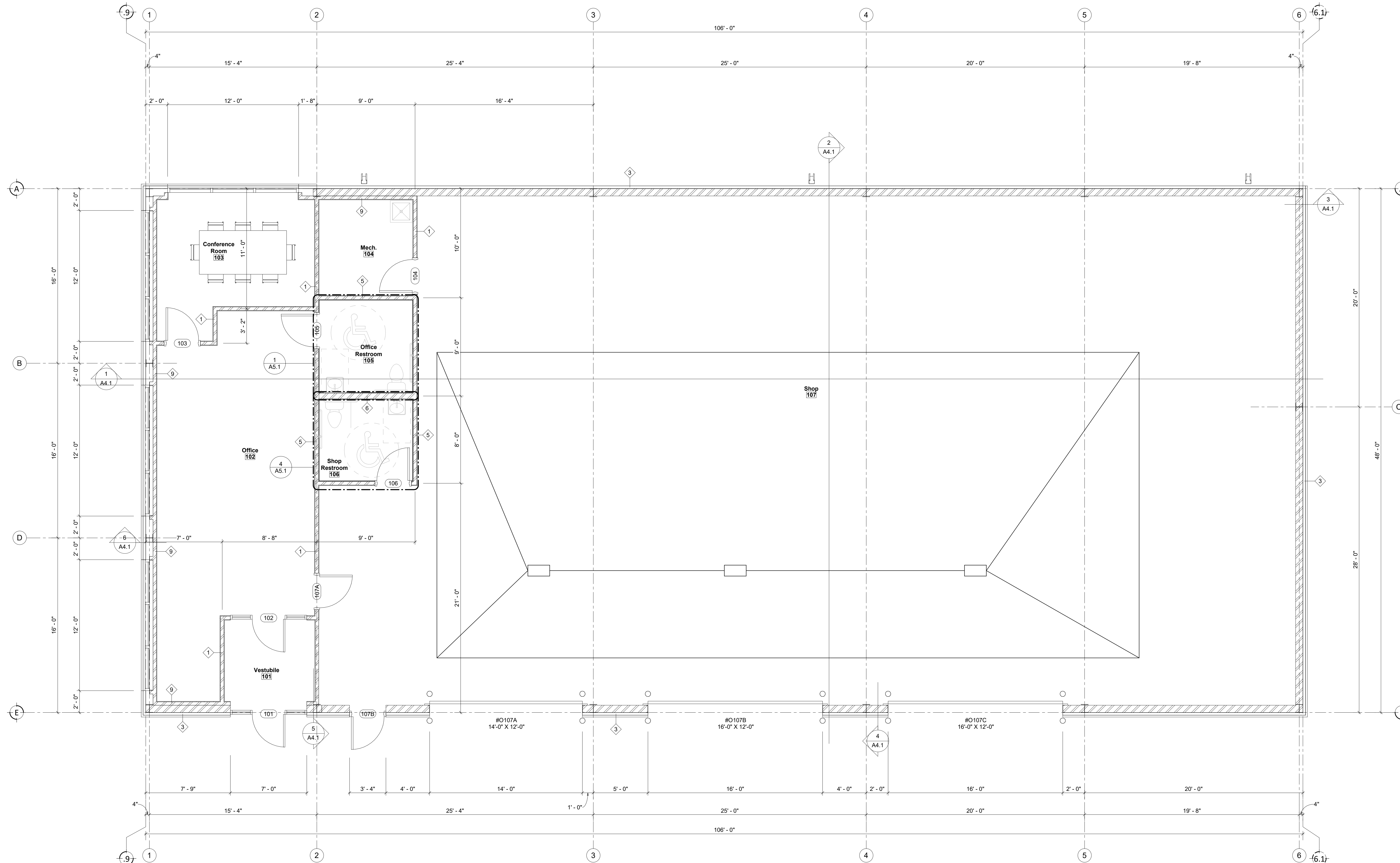
Healing Garden
Inver Grove Heights, MN
FIRST FLOOR PLAN

A2.1

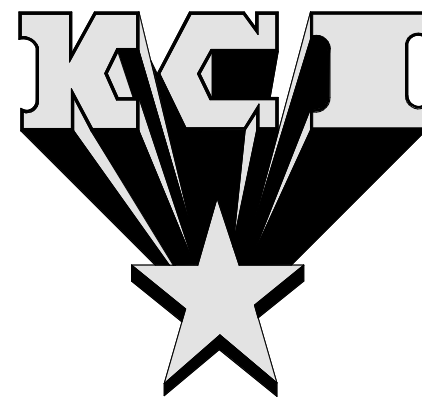
Project # **Project Number**

Date **03.30.21**

Scale **1/4" = 1'-0"**



1 First Floor Plan
A2.1 1/4" = 1'-0"



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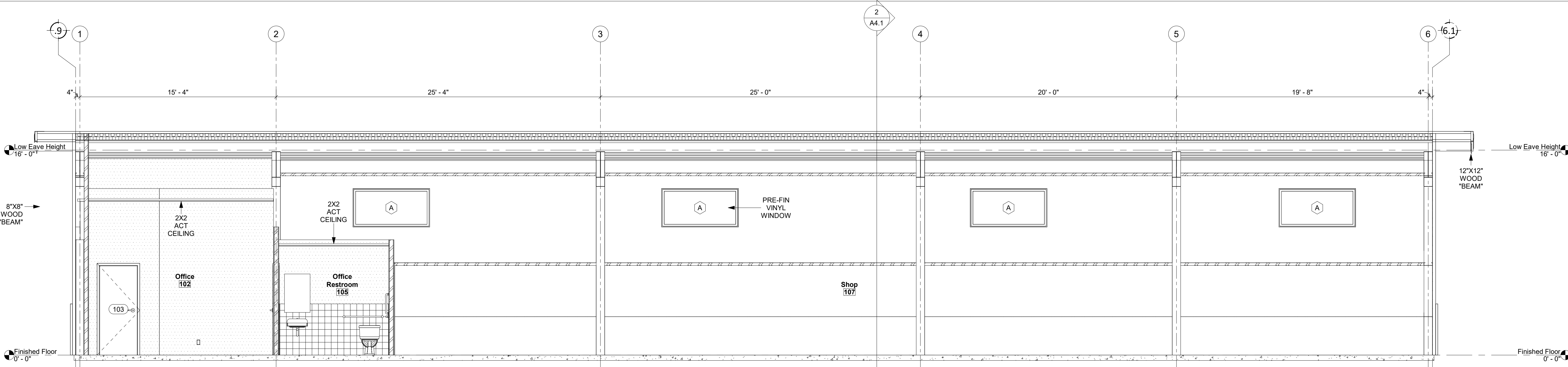
Healing Garden Inver Grove Heights, MN BUILDING SECTIONS

A4.1

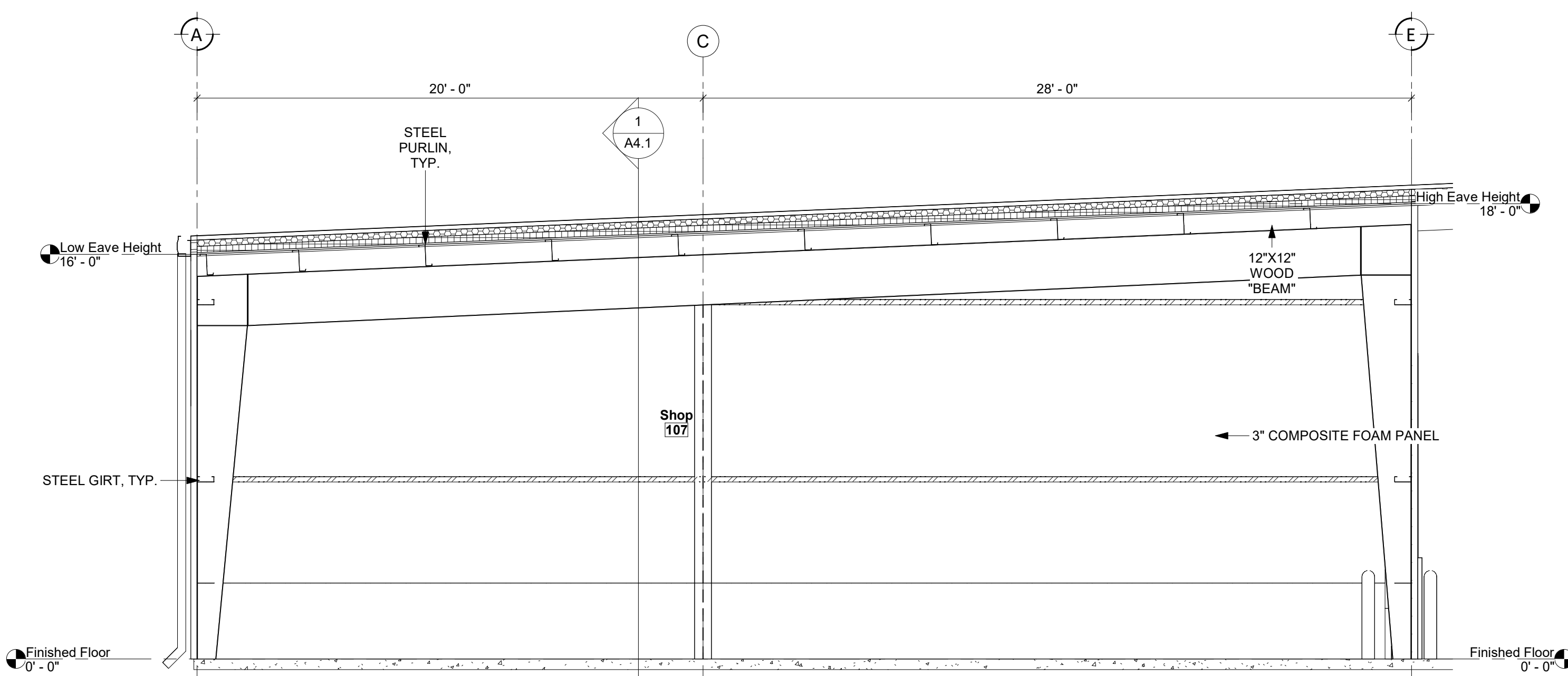
Project # **Project Number**

Date **03.30.21**

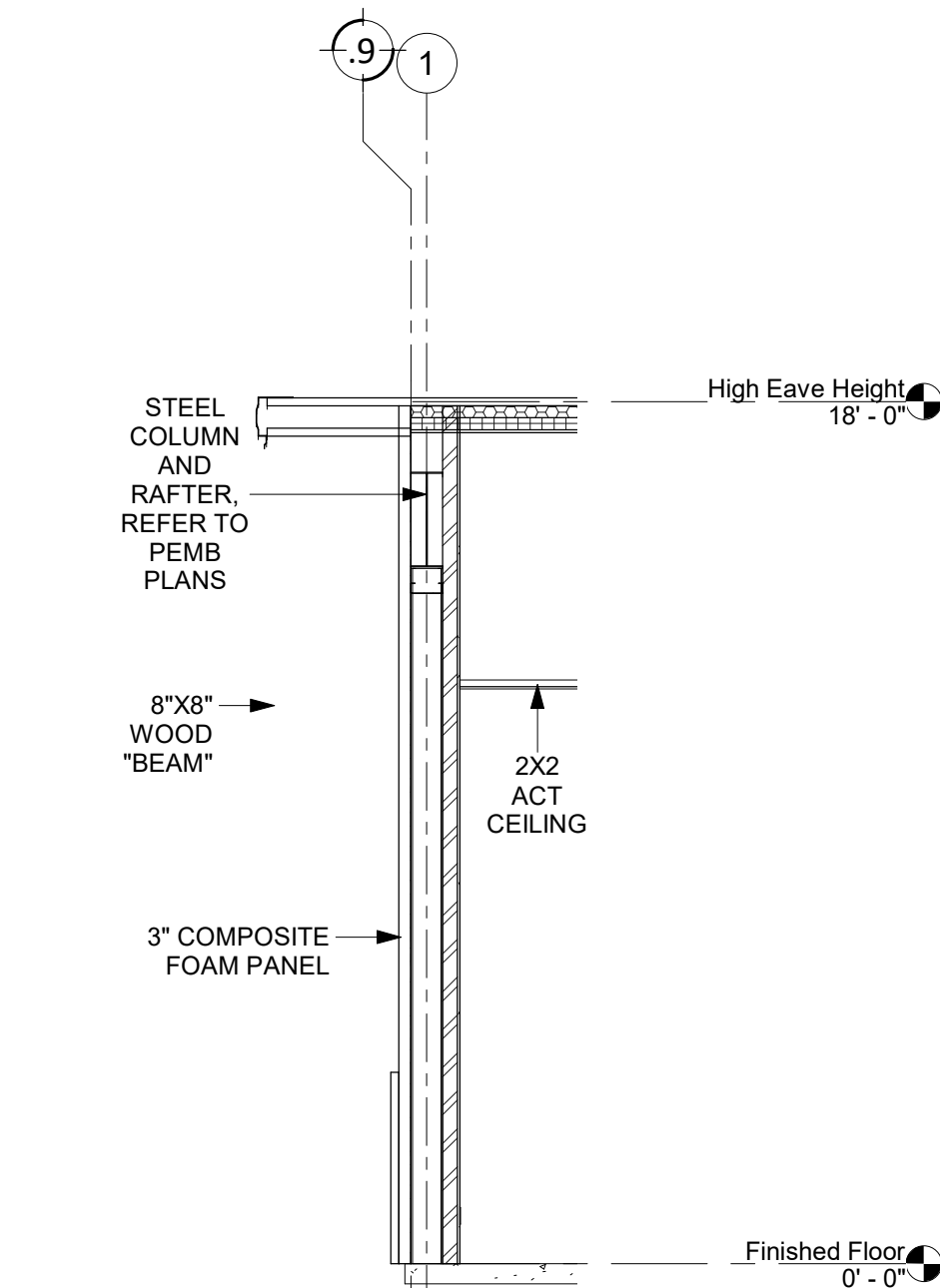
Scale **As indicated**



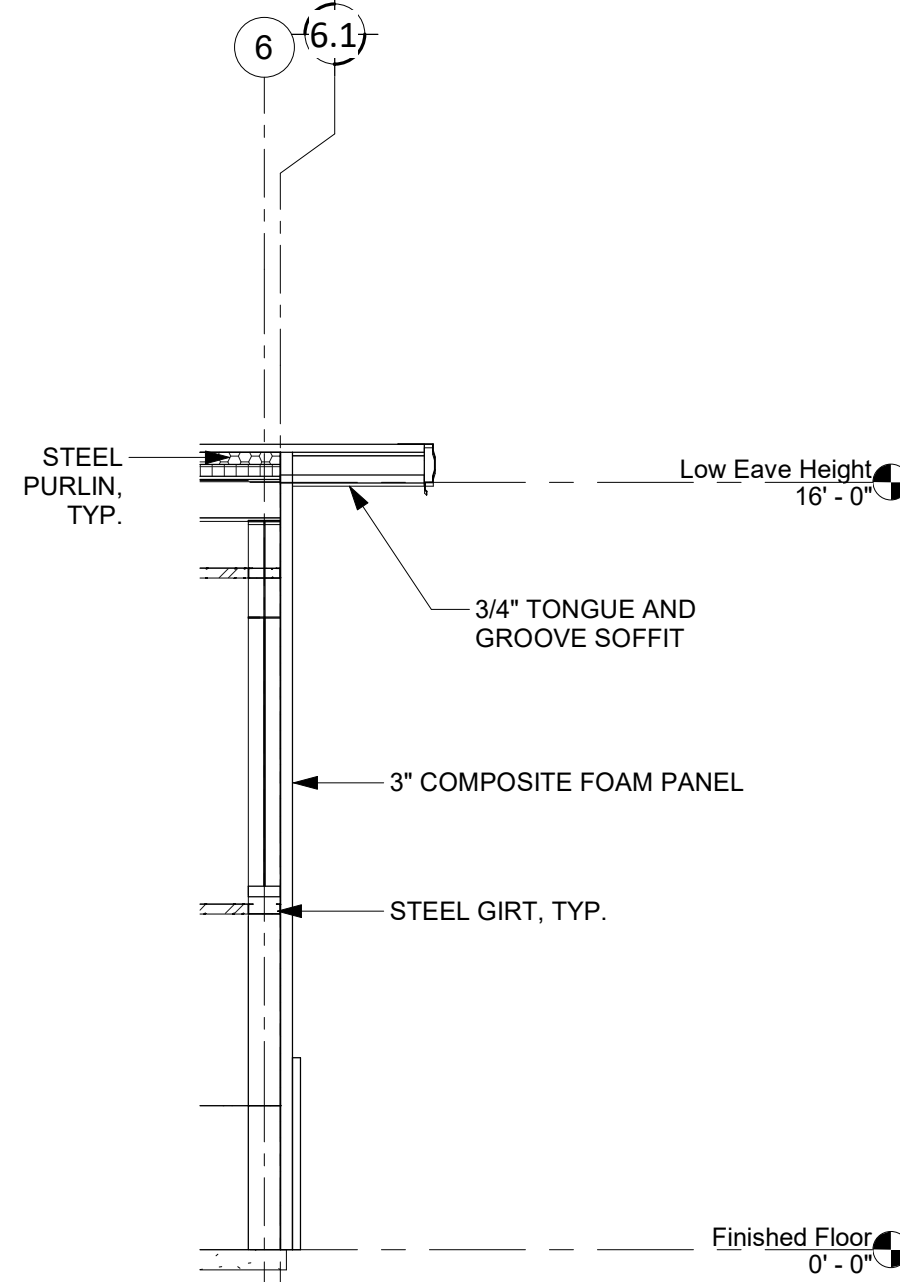
1 Section at Office & Shop
A4.1 1/4" = 1'-0"



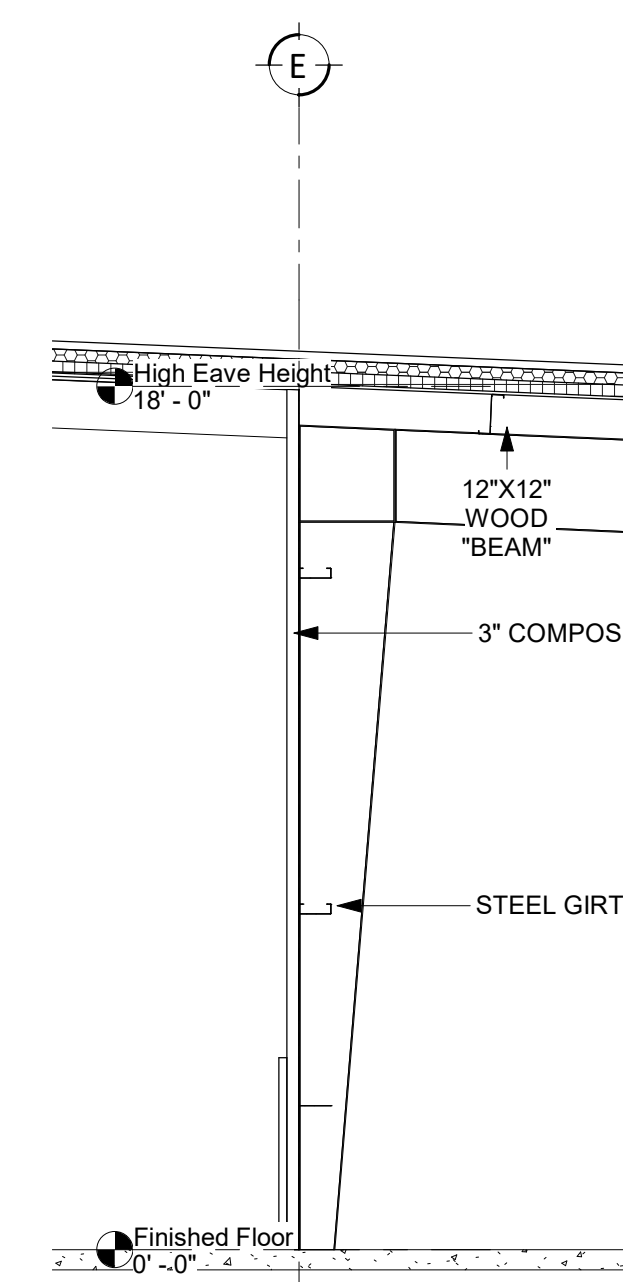
2 Section at Shop
A4.1 1/4" = 1'-0"



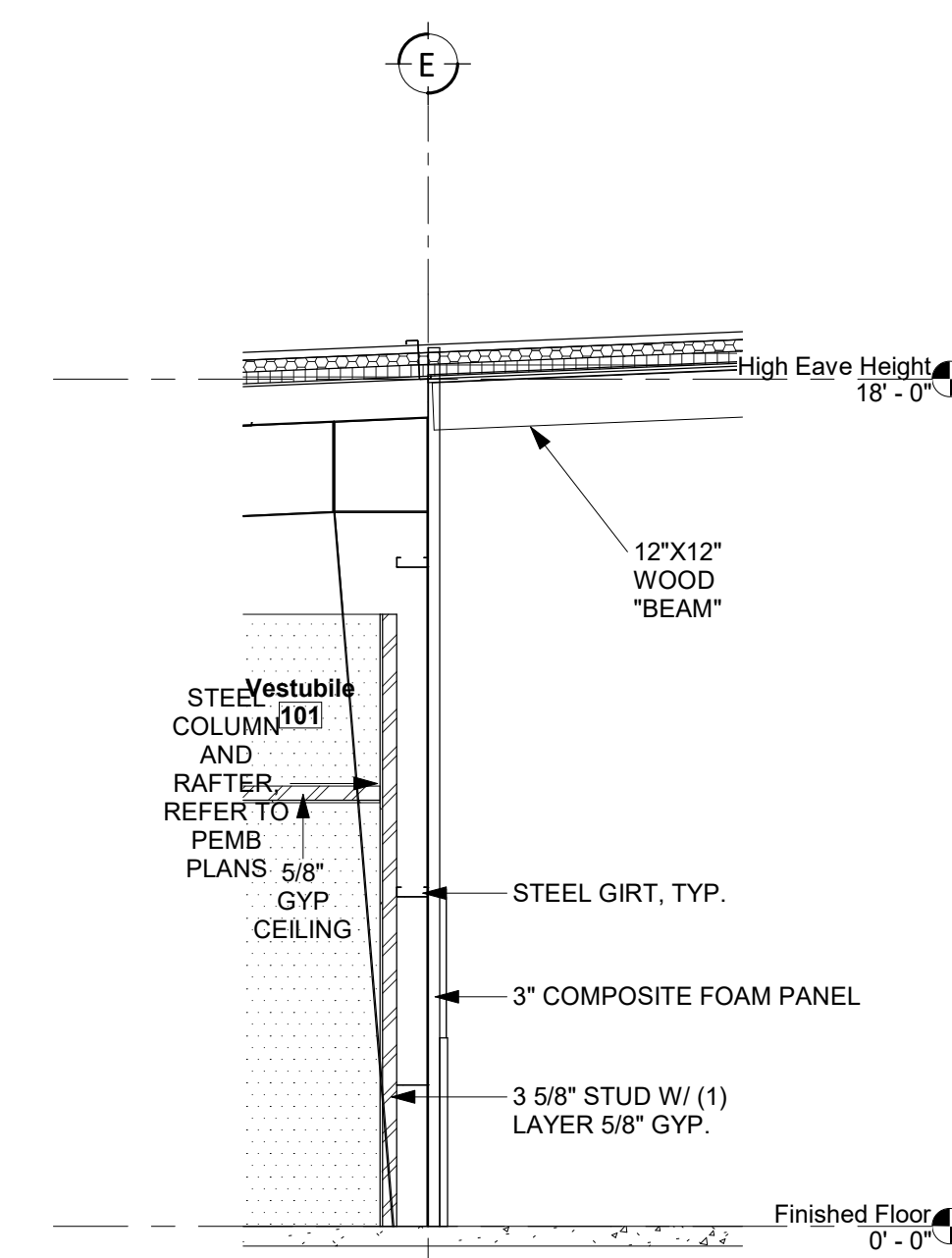
3 Section 3
A4.1 1/4" = 1'-0"



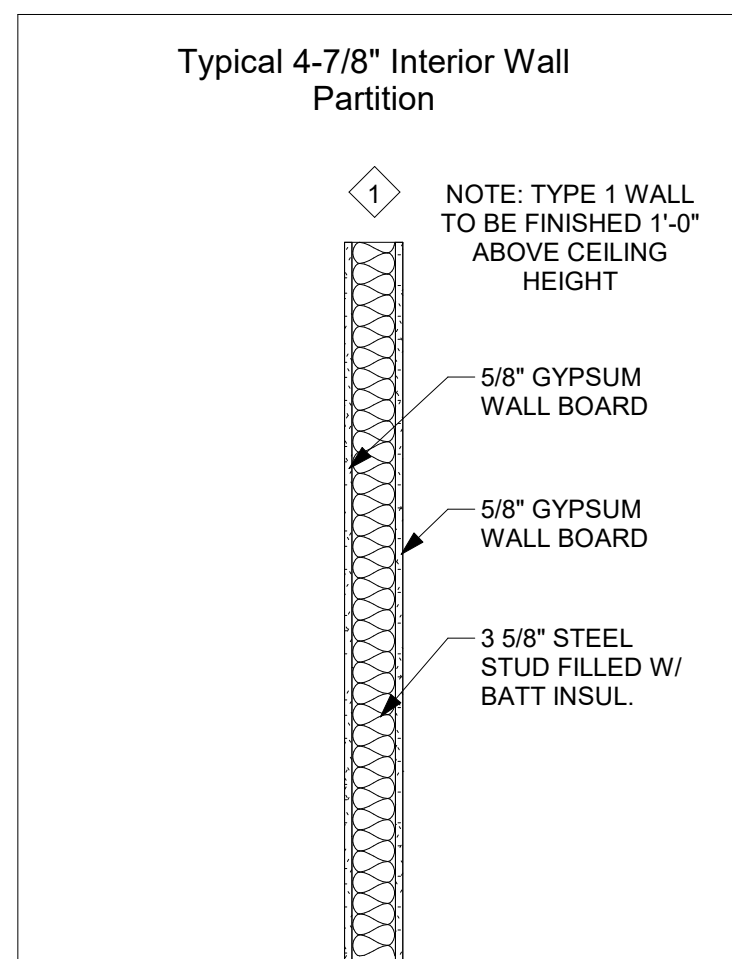
4 Section 4
A4.1 1/4" = 1'-0"



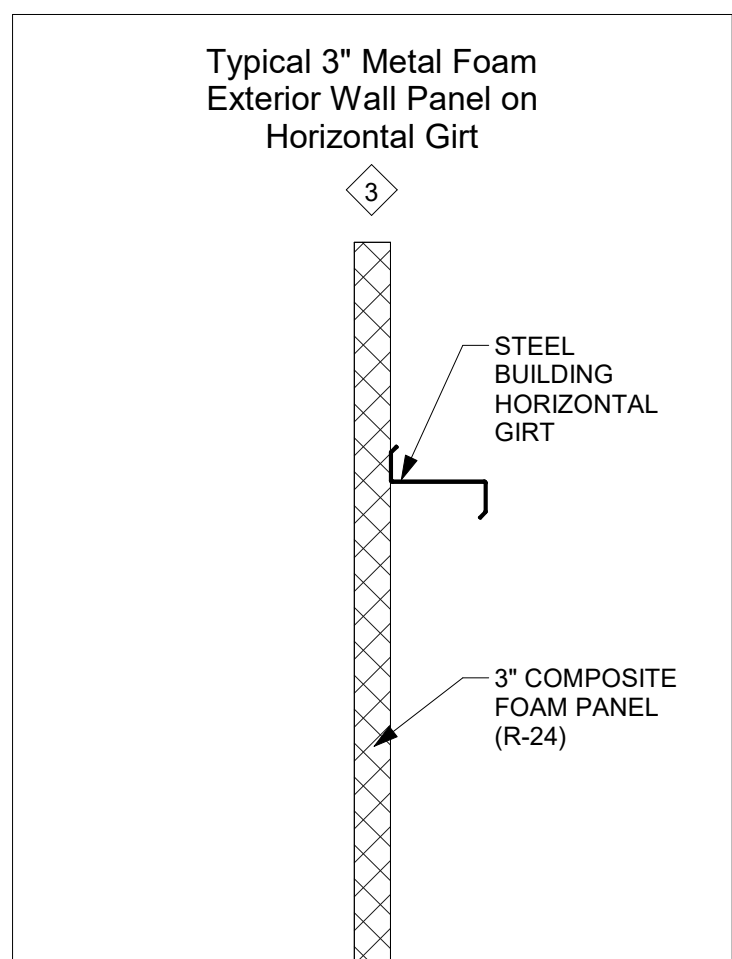
5 Section 5
A4.1 1/4" = 1'-0"



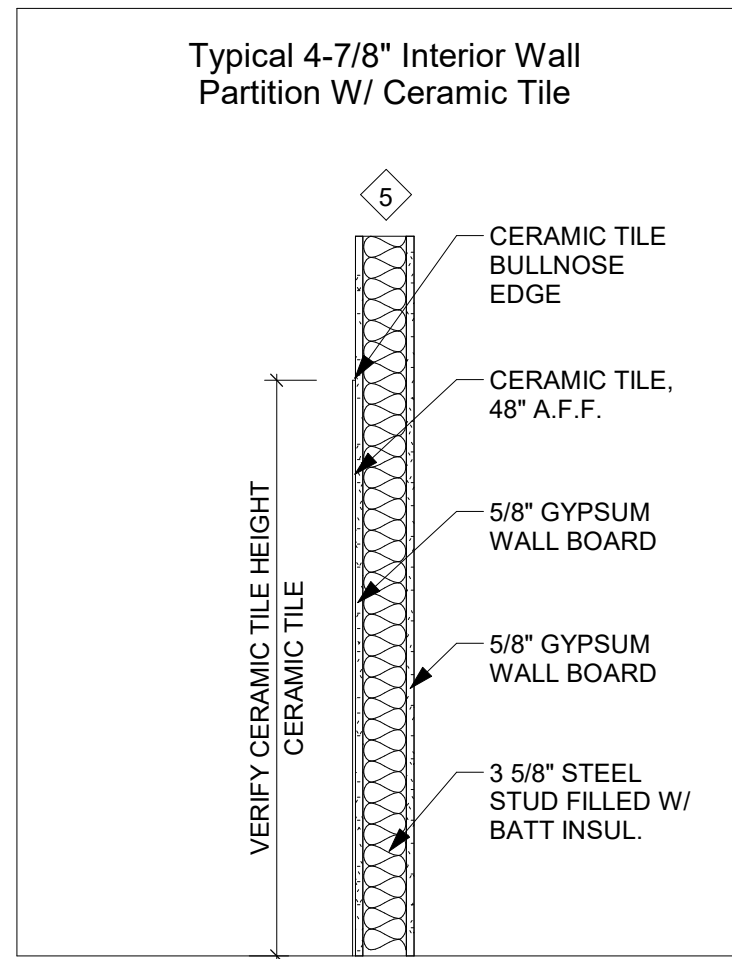
6 Section 6
A4.1 1/4" = 1'-0"



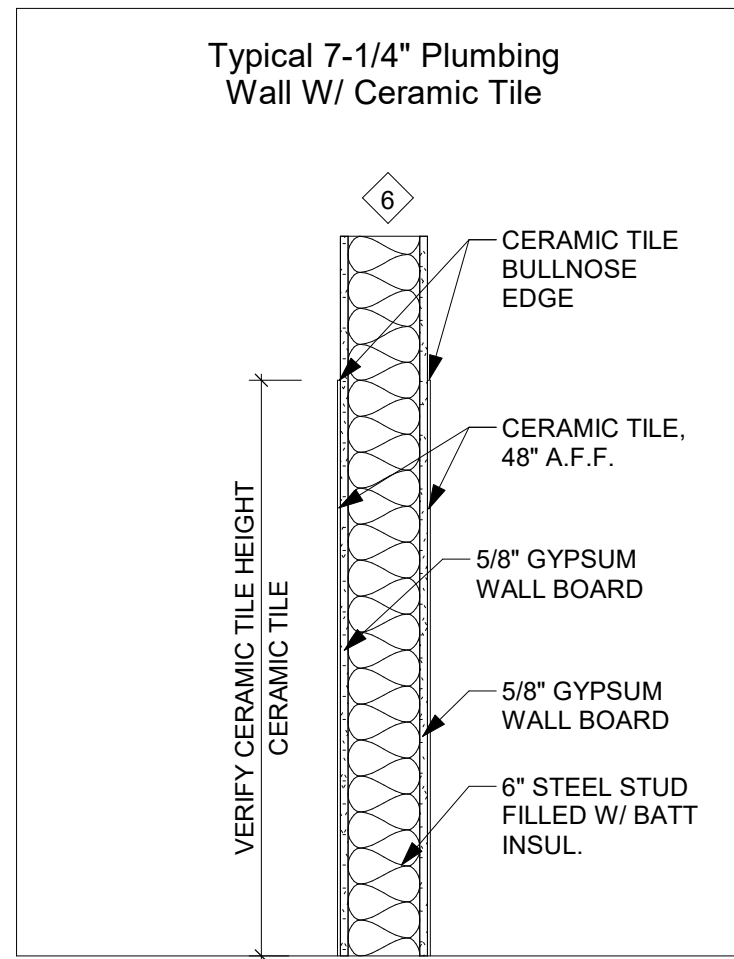
7 (1) 4-7/8" Interior Wall Partition
A4.1 3/4" = 1'-0"



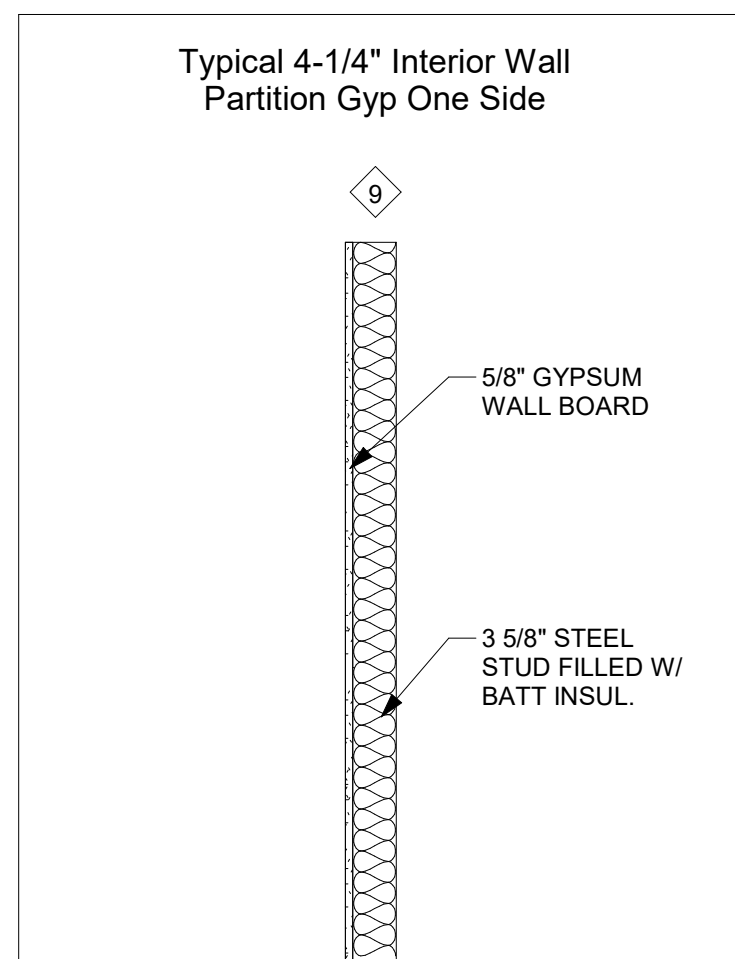
8 (3) 3" Metal Foam Wall Panel on Horiz. Girt
A4.1 3/4" = 1'-0"



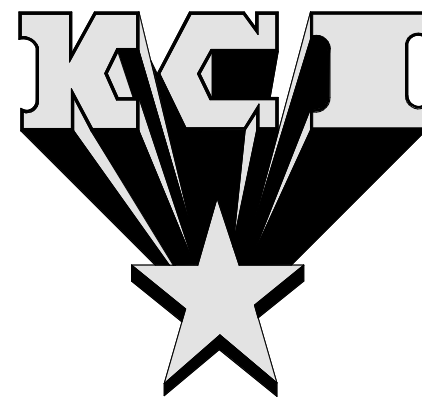
9 (5) 4-7/8" Interior Wall Partition W/ Ceramic Tile
A4.1 3/4" = 1'-0"



10 (6) 7-1/4" Plumbing Wall W/ Ceramic Tile
A4.1 3/4" = 1'-0"



11 (9) 4-1/4" Interior Wall Partition
A4.1 3/4" = 1'-0"



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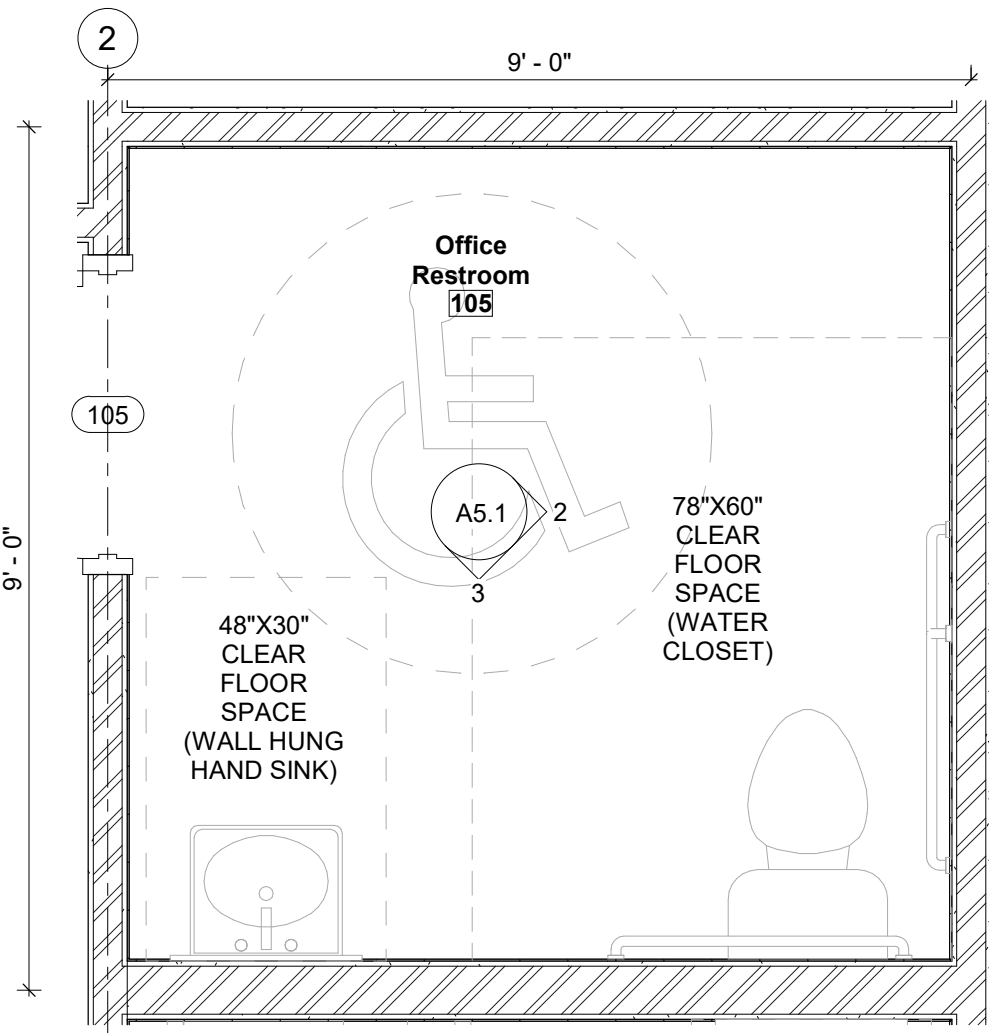
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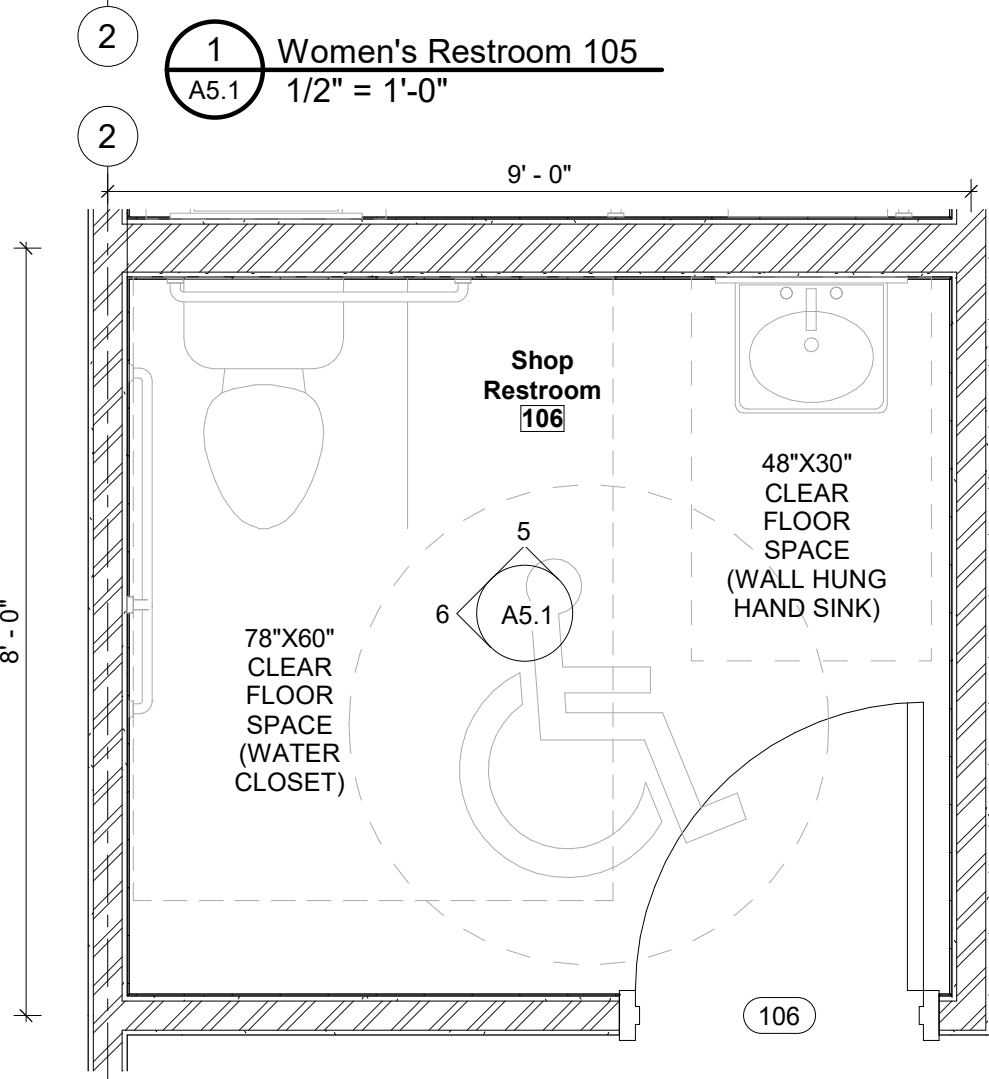
Healing Garden
Inver Grove Heights, MN
ENLARGED BATHROOMS, SCHEDULES
AND TYPICAL DETAILS

A5.1

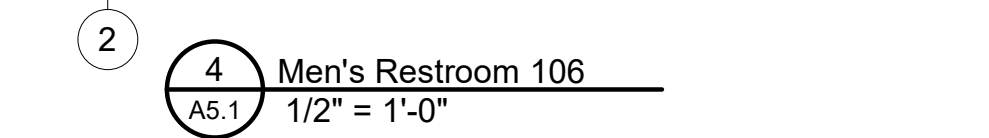
Project #Project Number
Date 03.30.21
Scale As indicated



2 Women's Restroom 105-2
A5.1 1/2" = 1'-0"



5 Men's Restroom 106-5
A5.1 1/2" = 1'-0"



4 Men's Restroom 106
A5.1 1/2" = 1'-0"

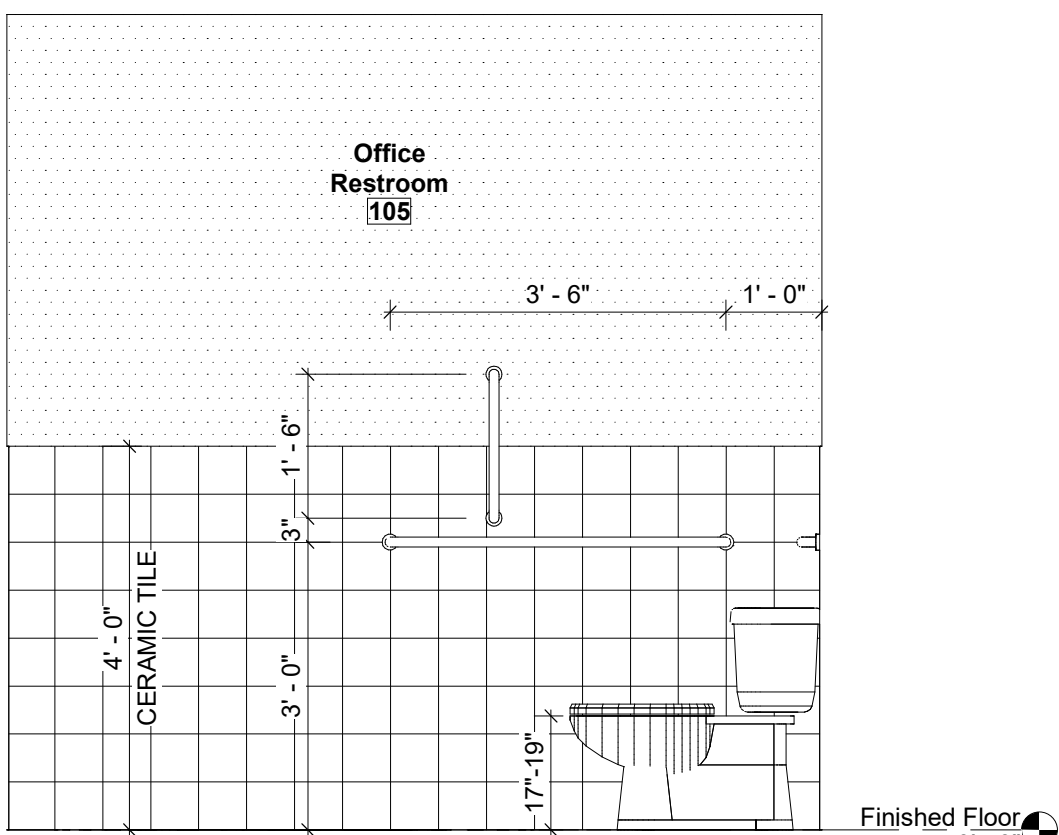
Window Schedule						
Type Mark	R.O.	Width	Height	Material	Finish	Head Height
A	6' - 0"	3' - 0"	VINYL	PRE. FIN.	13' - 0"	
Grand total: 4						

Overhead Door Schedule						
Door Number	Door Width	Door Height	Door Thickness	Door Material	Frame Material	Comments
O107A	14' - 0"	12' - 0"	0' - 3"	Aluminum	Hollow Metal	
O107B	16' - 0"	12' - 0"	0' - 3"	Aluminum	Hollow Metal	
O107C	16' - 0"	12' - 0"	0' - 3"	Aluminum	Hollow Metal	

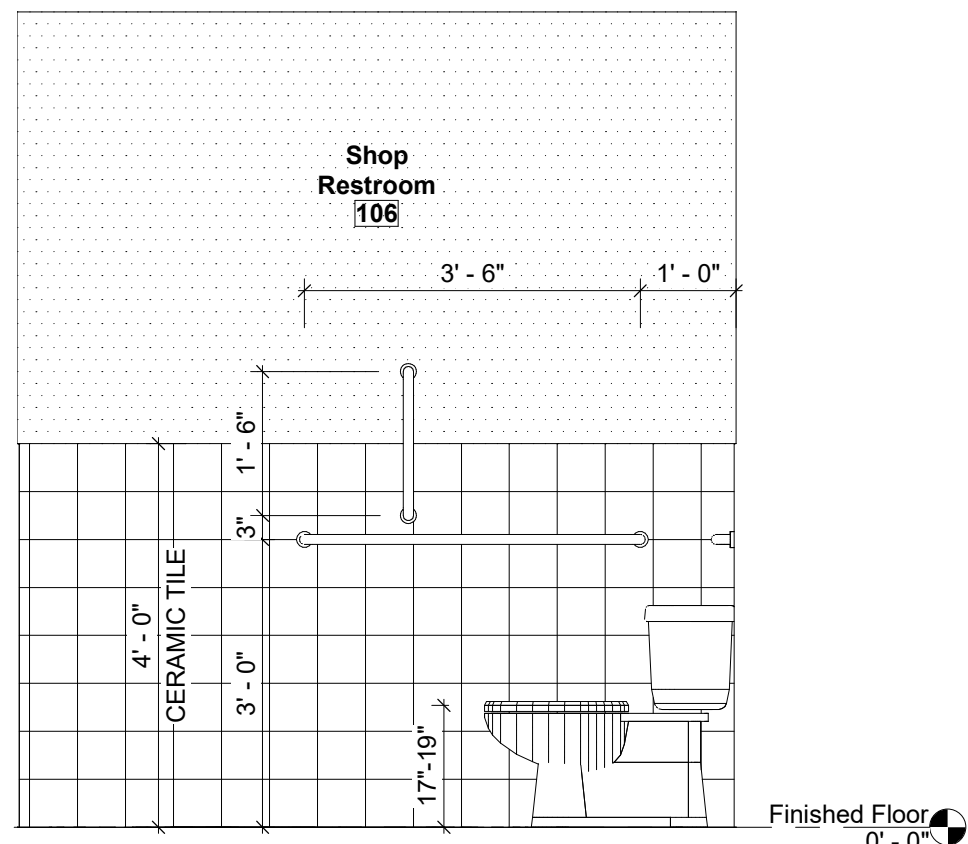
Walk Door Hardware Schedule							
Door Number	Lockset Type	Ball Bearing Hinges	Closer	Weather Strip	Threshold	Deadbolt	Latch Guard
101	Paddle	X		X		X	
102	Push/Pull	X					
103	Entrance	X					
104	Passage	X					
105	Privacy	X					
106	Privacy	X					
107A	Entrance	X					
107B	Entrance	X	X	X	X	X	X

Walk Door Schedule									
Door Number	Type Mark	Door Width	Door Height	Door Thickness	Door Material	Door Finish	Frame Material	Frame Finish	Door Swing
101	1	3' - 0"	7' - 0"	0' - 2"	Aluminum	Kynar Paint	Aluminum	Kynar Paint	
102	1	3' - 0"	7' - 0"	0' - 2"	Aluminum	Kynar Paint	Aluminum	Kynar Paint	
103	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Left
104	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Left
105	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Right
106	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Right
107A	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Left
107B	2	3' - 0"	7' - 0"	0' - 2"	Hollow Metal	Paint	Hollow Metal	Paint	Right

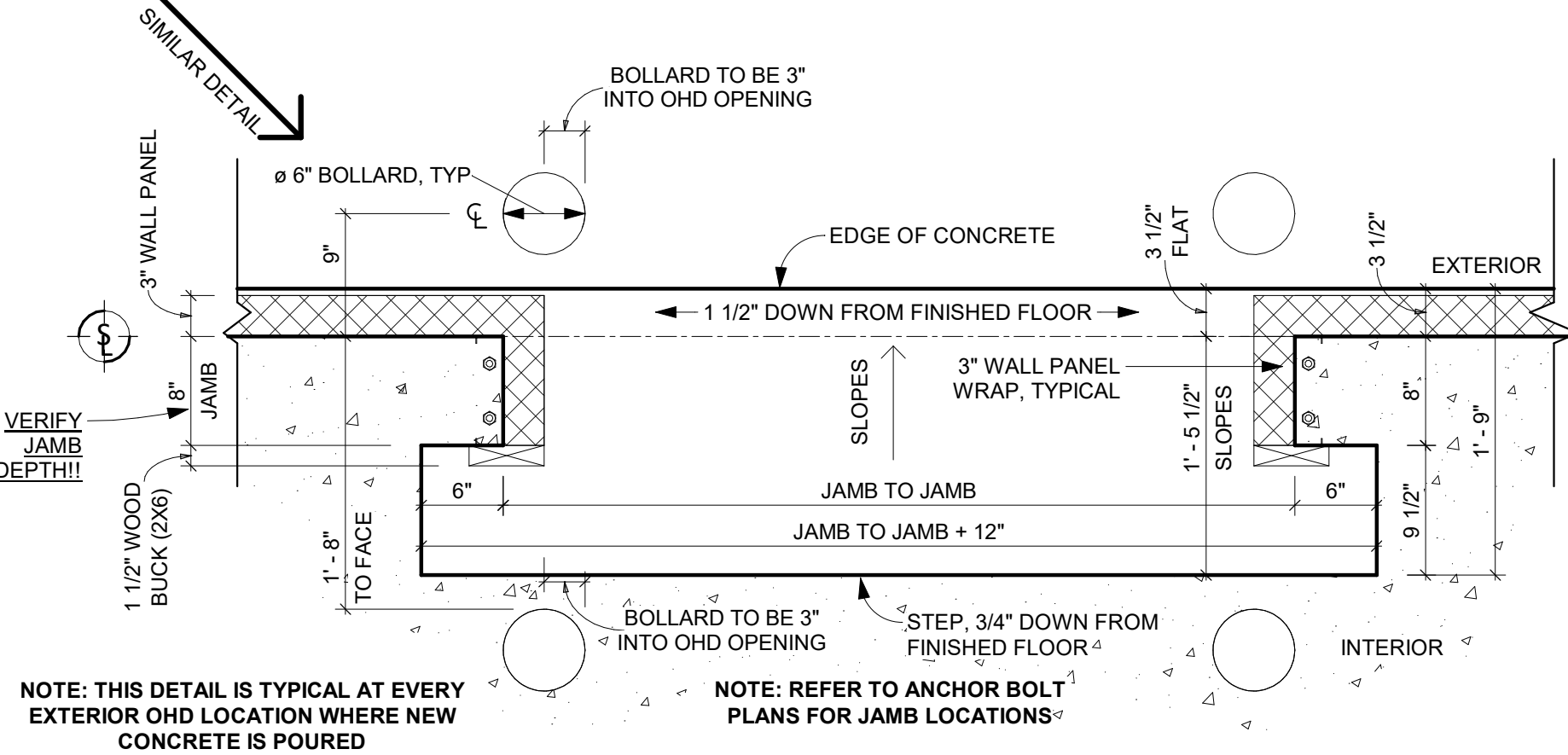
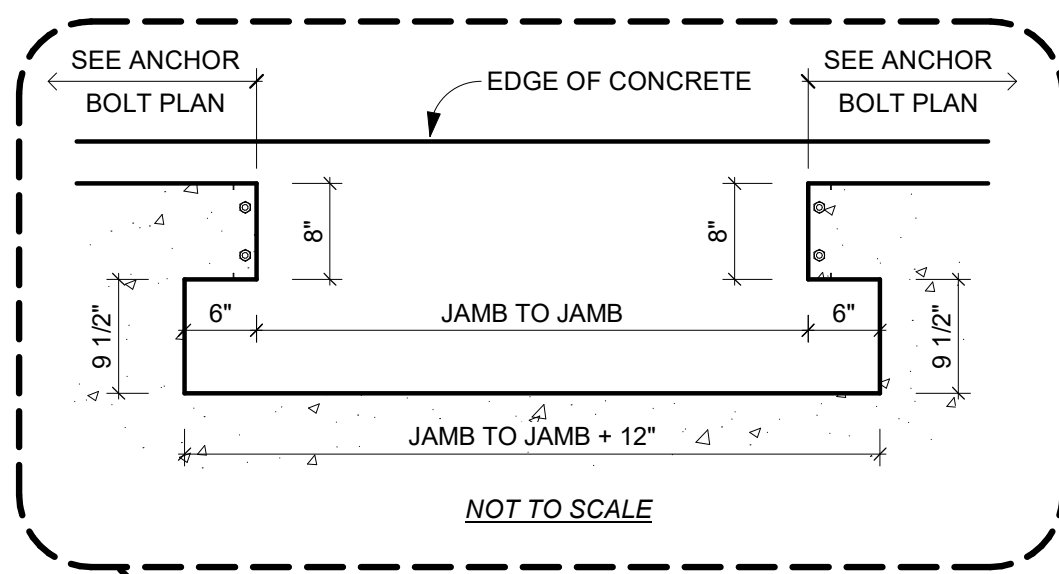
Room Finish Schedule							
Room Number	Room Name	Floor Finish	Base Finish	Wall Finish	Ceiling Finish	Ceiling Height	Comments
101	Vestibule	Polished Concrete	Vinyl	GYP.	GYP.	9' - 0"	
102	Office	Polished Concrete	Vinyl	GYP.	ACT.	9' - 0"	
103	Conference Room	Polished Concrete	Vinyl	GYP.	ACT.	9' - 0"	
104	Mech.	Polished Concrete	Vinyl	GYP.			
105	Office Restroom	Ceramic Tile	Ceramic Tile	Ceramic/GYP.	ACT.	9' - 0"	
106	Shop Restroom	Ceramic Tile	Ceramic Tile	Ceramic/GYP.	ACT.	9' - 0"	
107	Shop	Sealed Concrete	N/A	IMP	N/A		



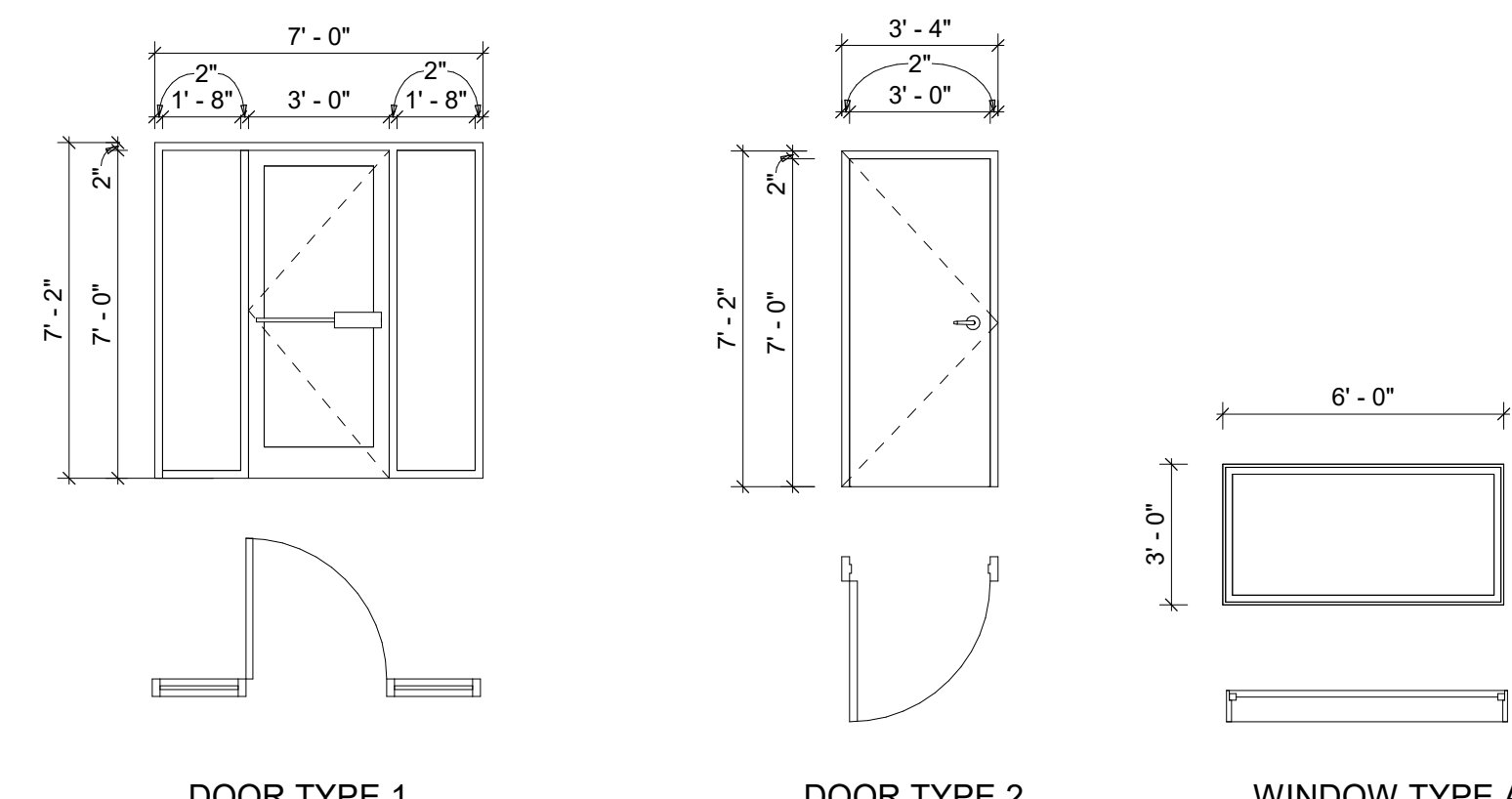
3 Women's Restroom 105-3
A5.1 1/2" = 1'-0"



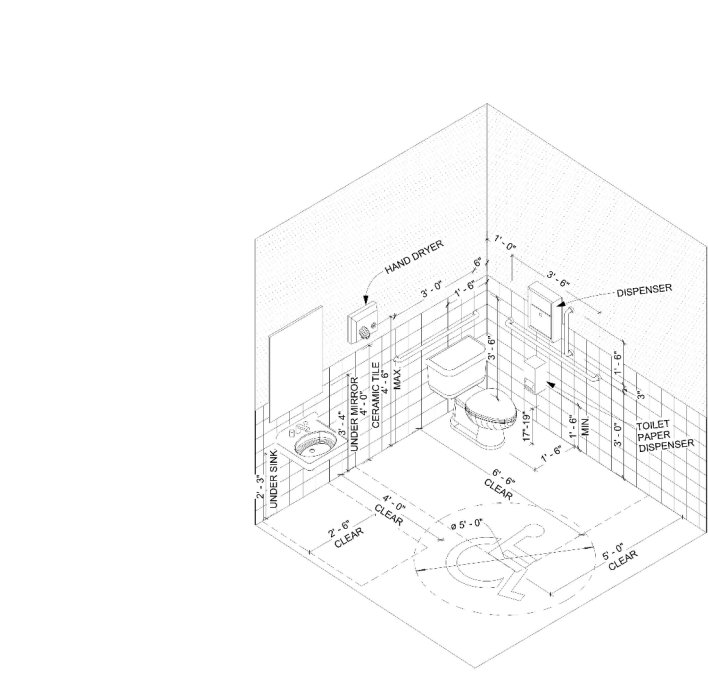
6 Men's Restroom 106-6
A5.1 1/2" = 1'-0"



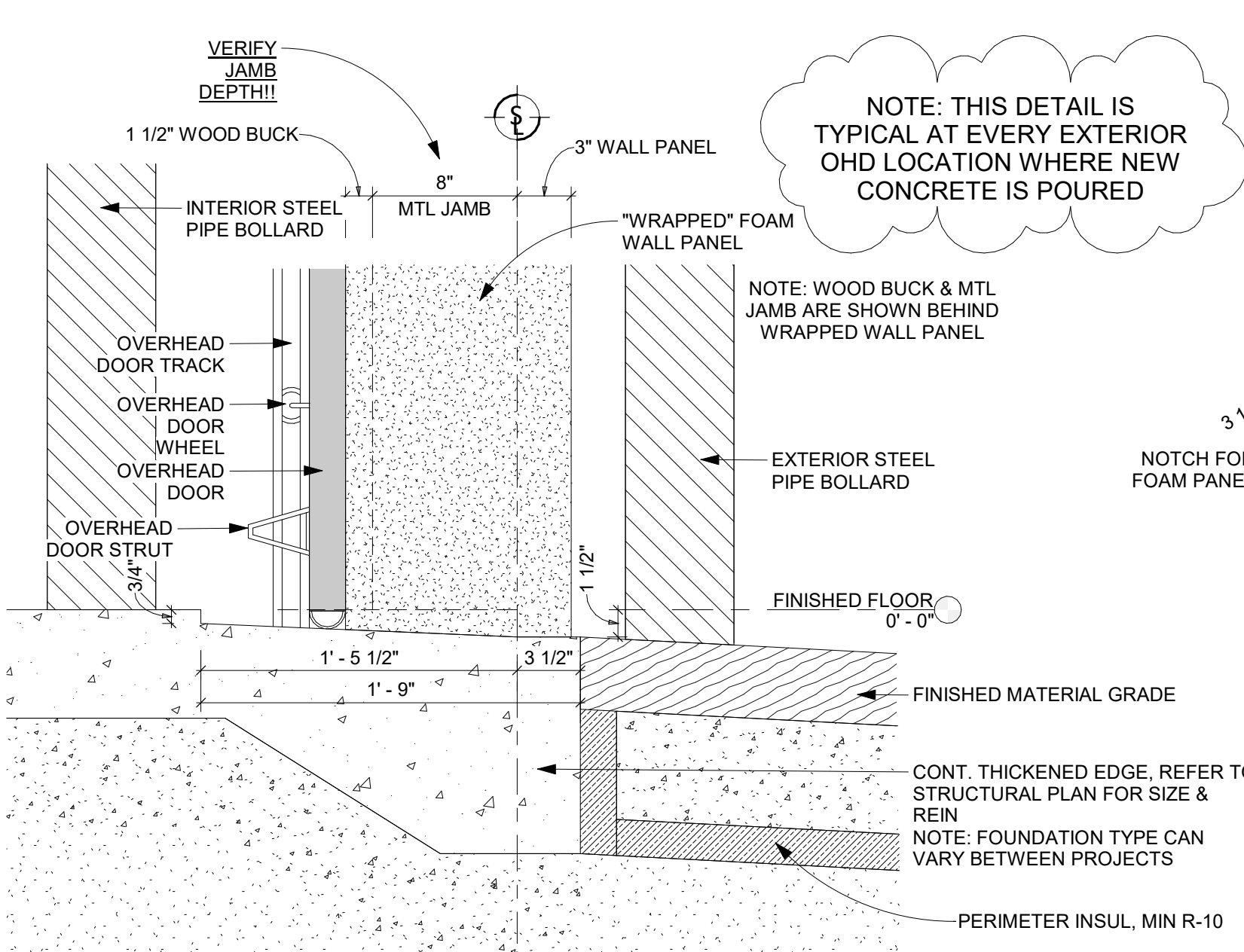
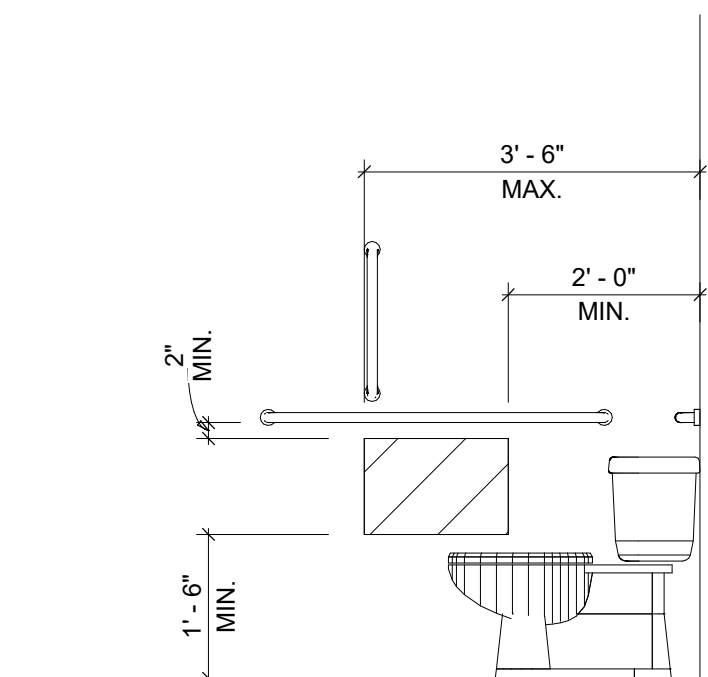
14 Typical Bollard & Concrete Notch Locations At Overhead Door
A5.1 1" = 1'-0"



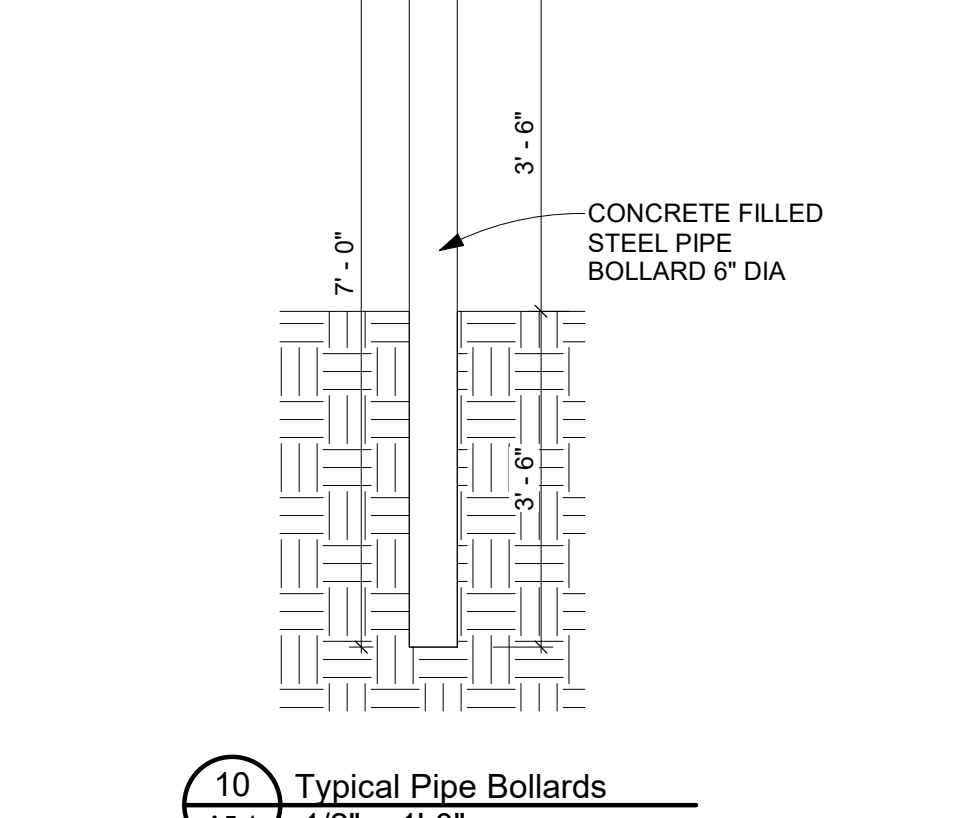
7 3D Restroom
A5.1 1/4" = 1'-0"



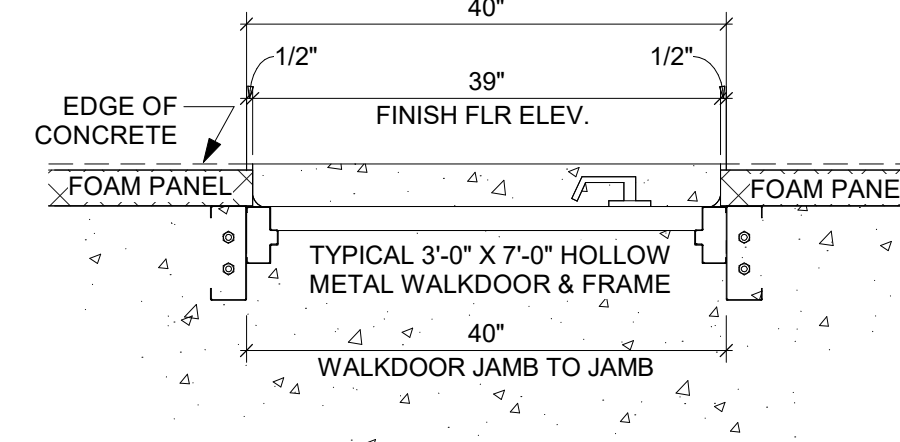
8 Dispenser Location
A5.1 1/2" = 1'-0"



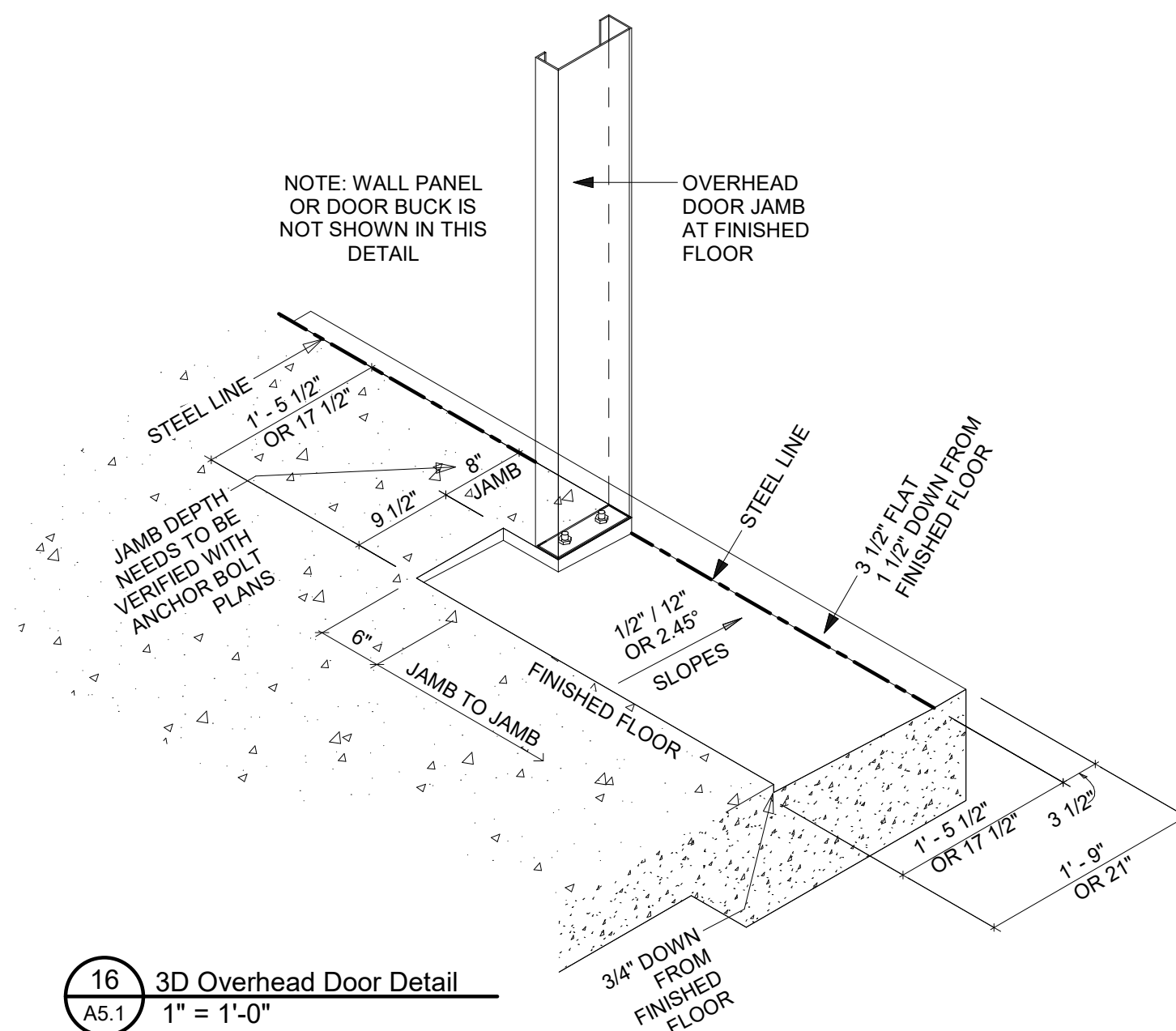
12 Typical Detail - Concrete Notch at Overhead Door
A5.1 1 1/2" = 1'-0"



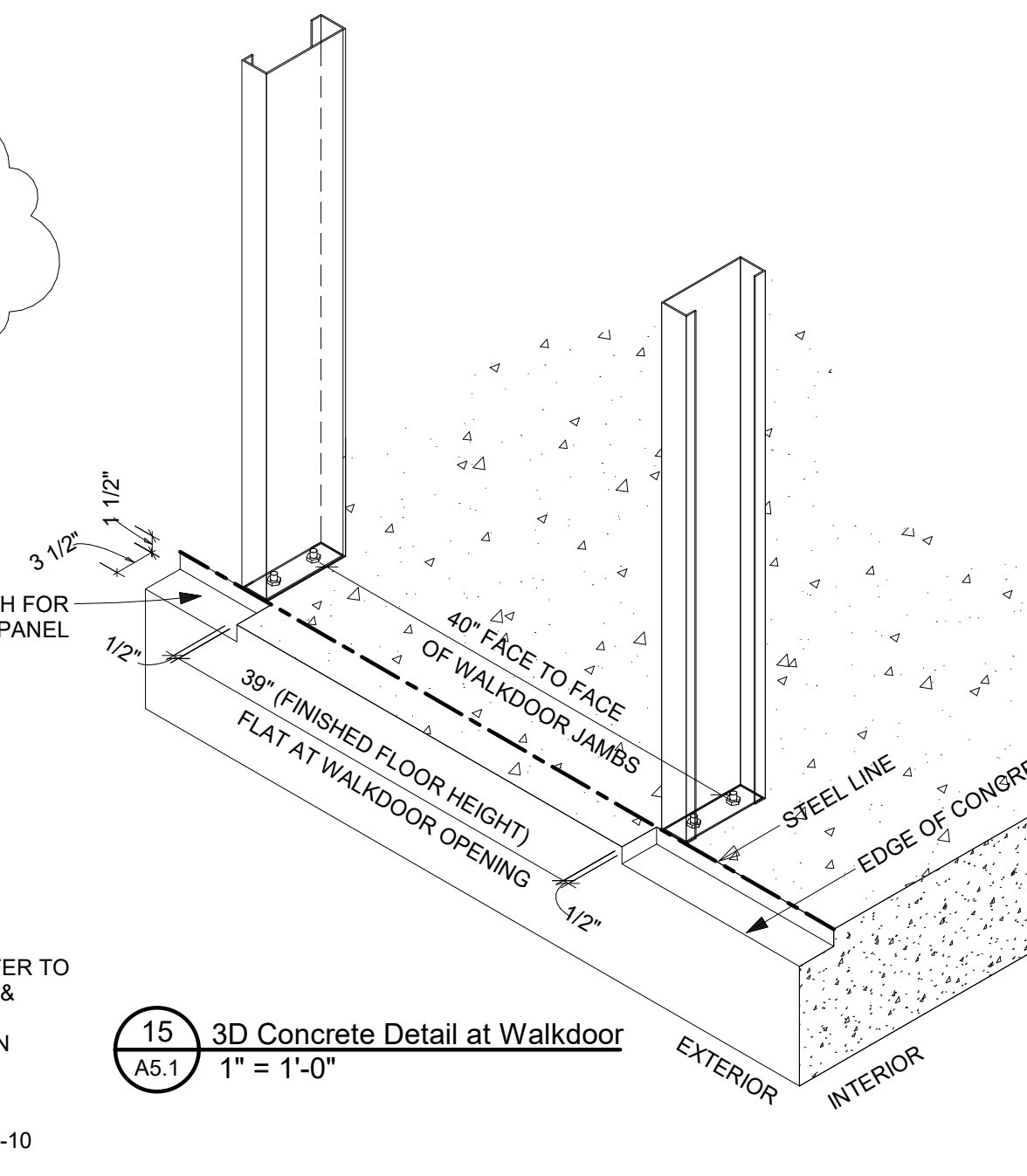
10 Typical Pipe Bollards
A5.1 1/2" = 1'-0"



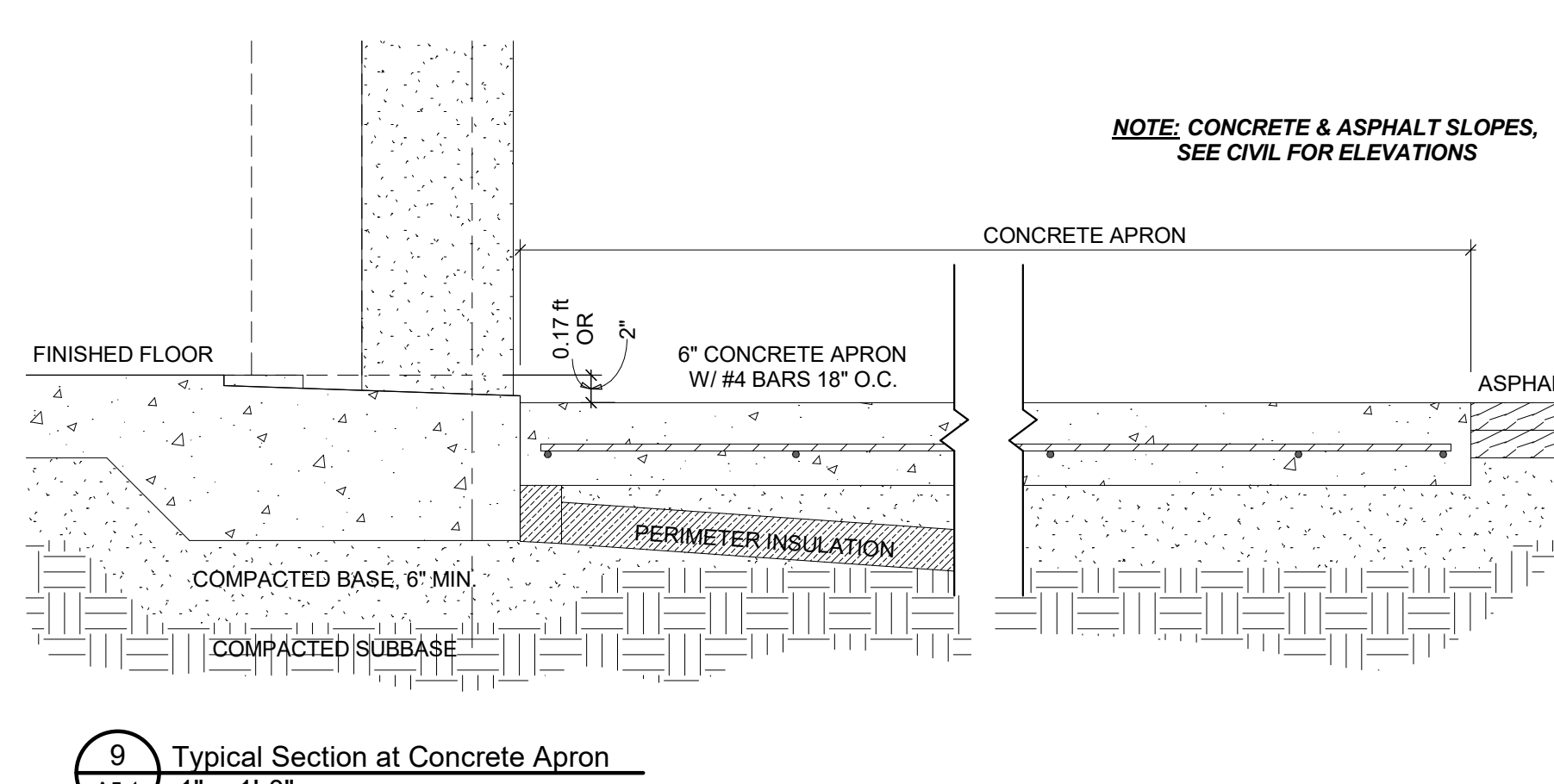
11 Typical Exterior Hollow Metal Door Concrete Detail
A5.1 3/4" = 1'-0"



16 3D Overhead Door Detail
A5.1 1" = 1'-0"



15 3D Concrete Detail at Walkdoor
A5.1 1" = 1'-0"



9 Typical Section at Concrete Apron
A5.1 1" = 1'-0"



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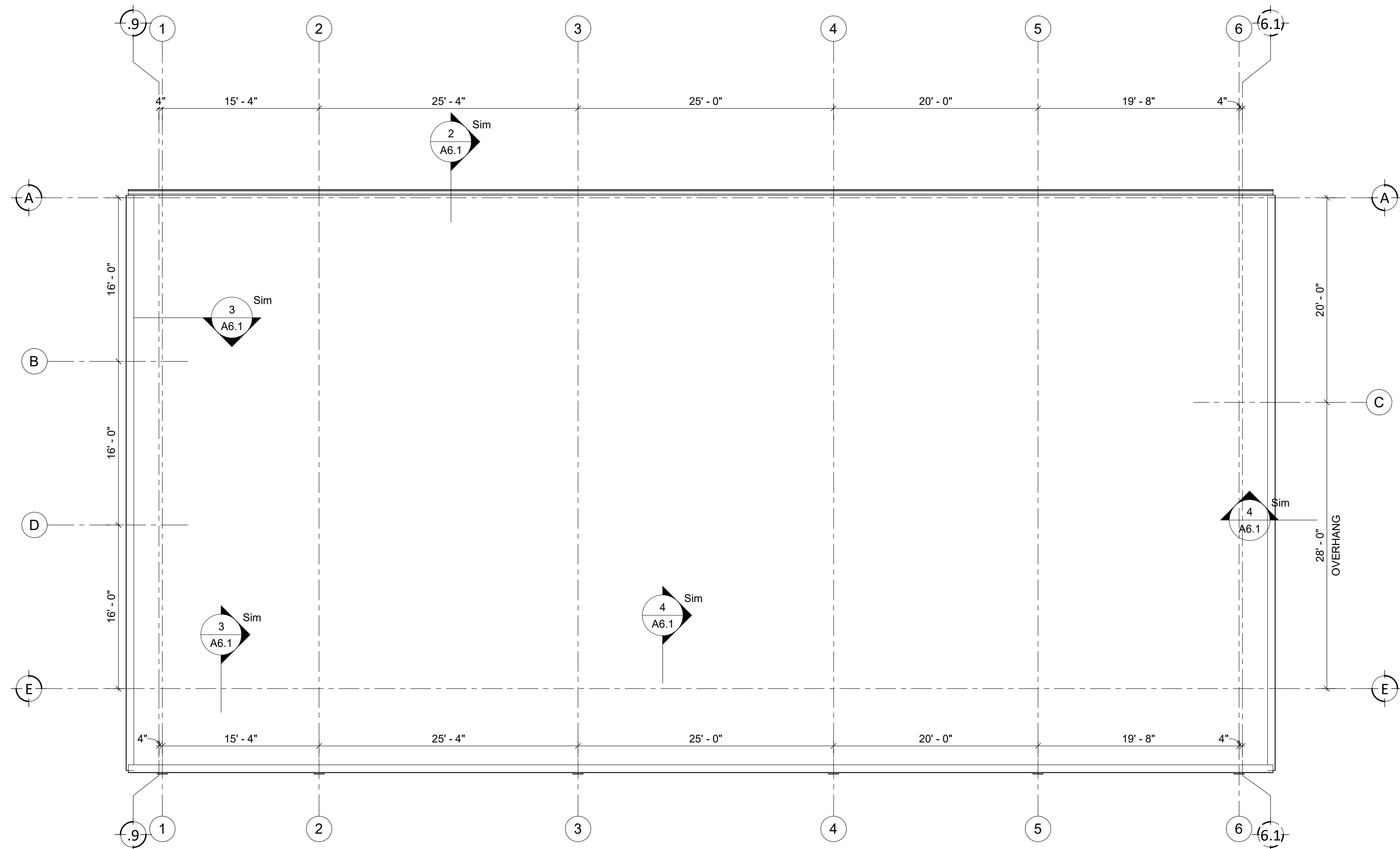
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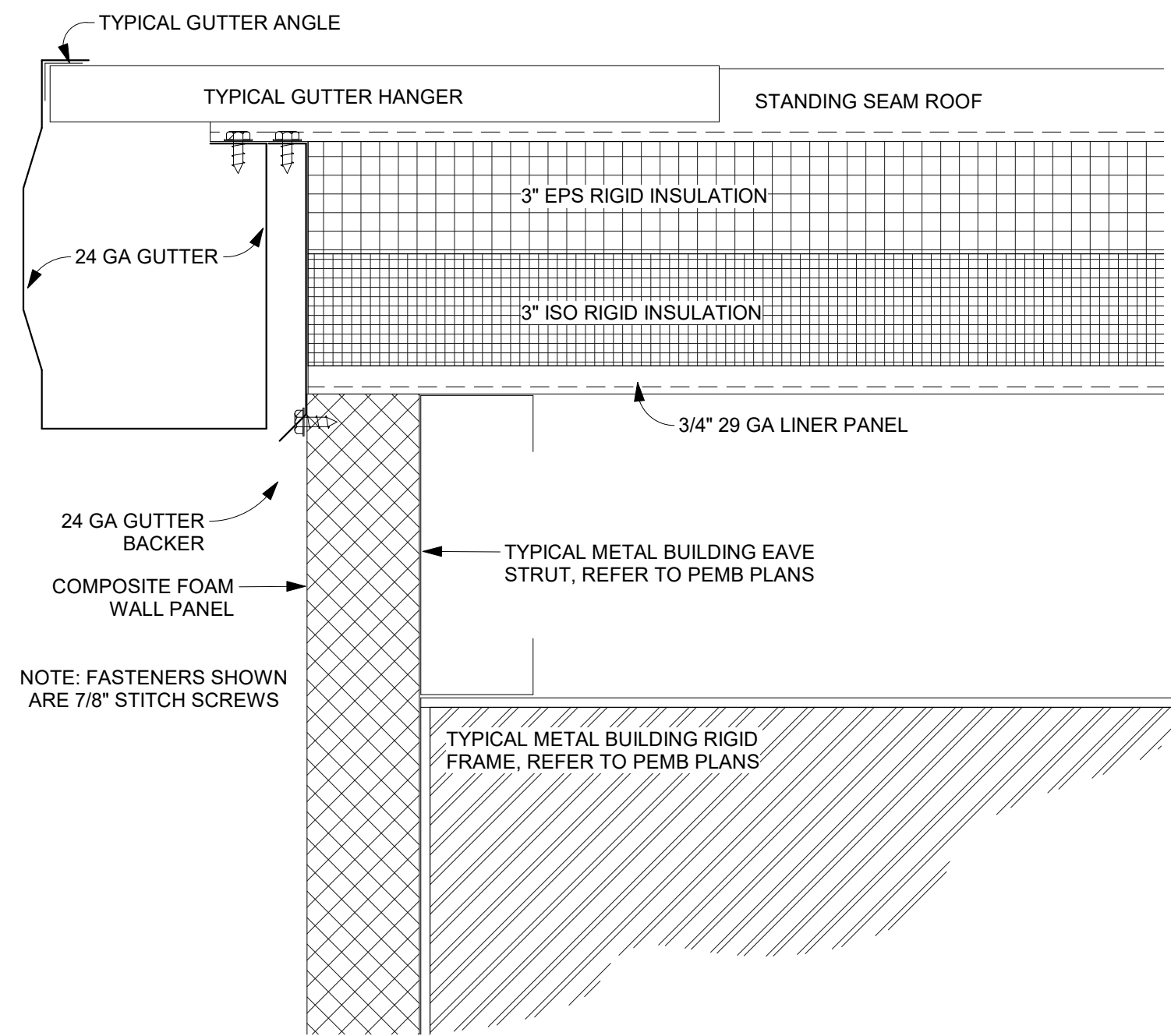
Michael J. Morn Registration No: 21772 1/31/2021

Healing Garden
Inver Grove Heights, MN
ROOF PLAN

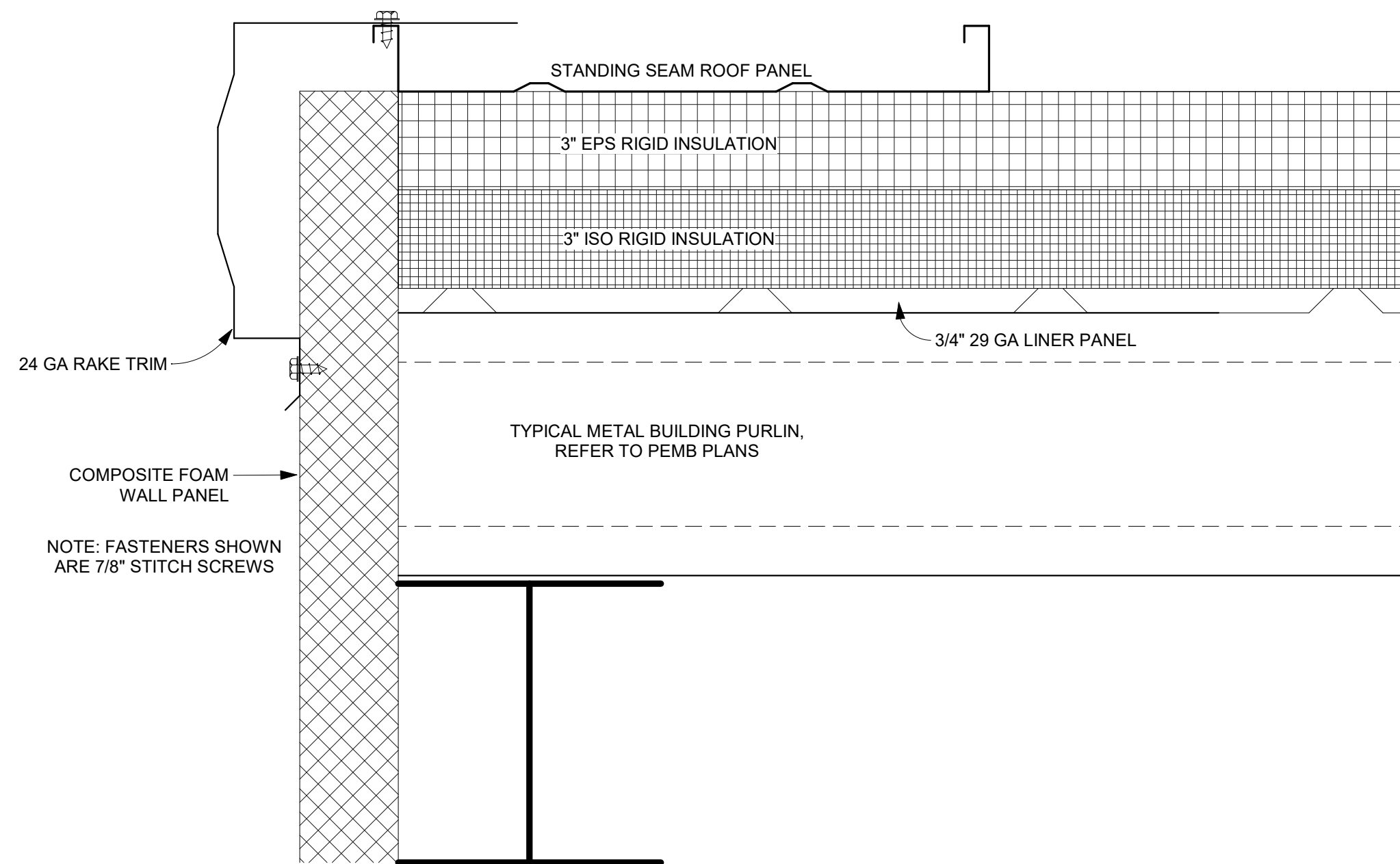
A6.1
Project #**Project Number**
Date **03.30.21**
Scale **As indicated**



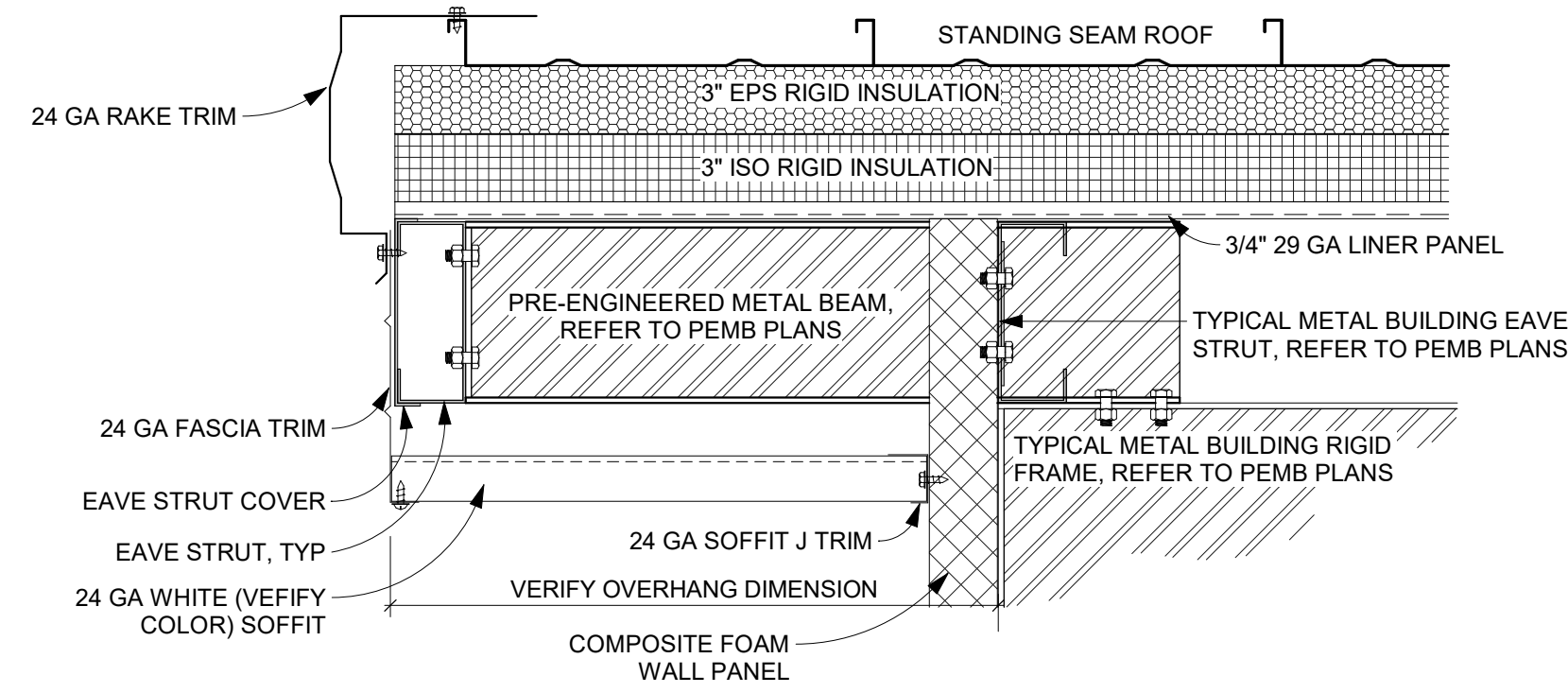
1 Roof Plan
1/8" = 1'-0"



2 Roof Detail - Gutter
3/8" = 1'-0"



3 Roof Detail - Rake Trim Detail
3/8" = 1'-0"



4 Typical Detail - Rake Trim Detail W/ Overhang
1 1/2" = 1'-0"



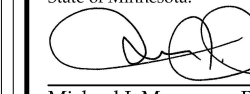
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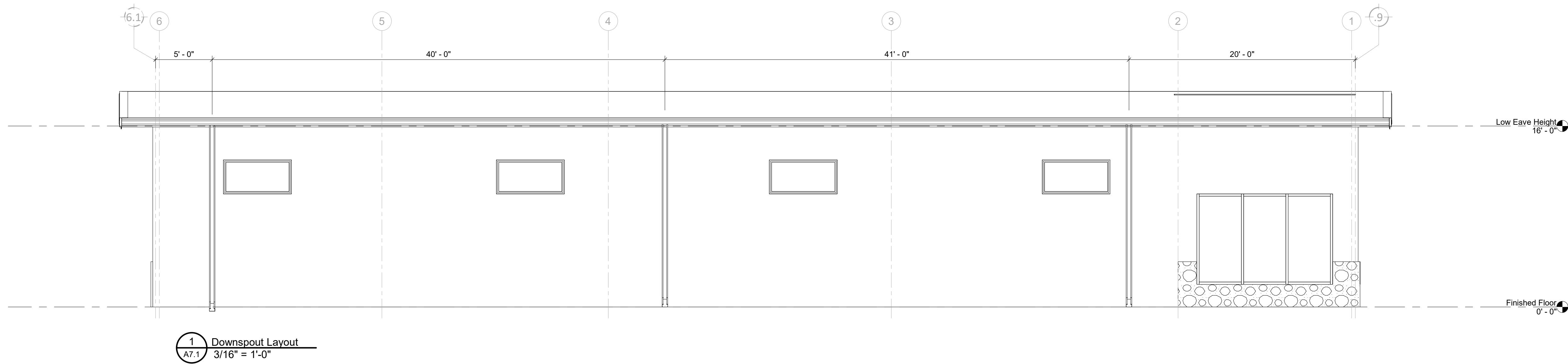
Healing Garden
Inver Grove Heights, MN
DOWNSPOUT LAYOUT

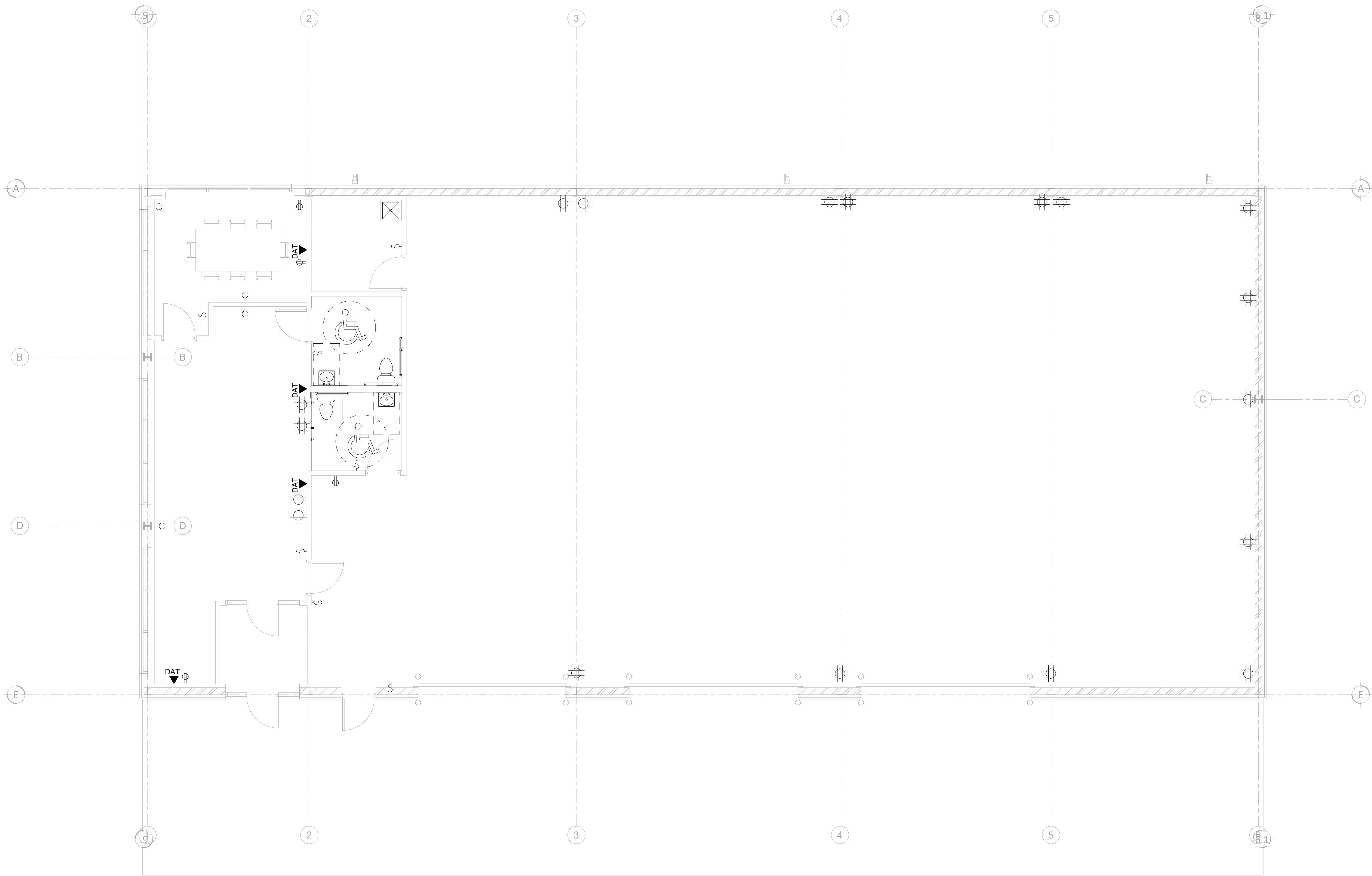
A7.1

Project #**Project Number**

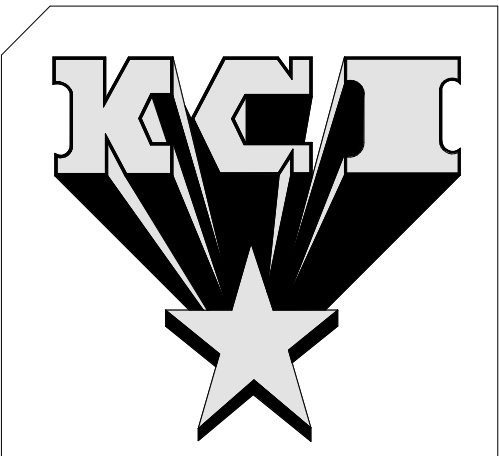
Date **03.30.21**

Scale **3/16" = 1'-0"**





ELECTRICAL LEGEND			
50A	50 AMP	⊕	DUPLEX
30A	30 AMP	⊕	SINGLE
AIR		⊕	QUADPLEX
E	2 HP EXHAUST	⊕	SINGLE
⊕	DEDICATED	⊕	3 WAY
DAT	DATA/TEL	220A	220A WELDER



**KIEHM
CONSTRUCTION
INC.**

8415 220TH STREET W
LAKEVILLE, MN 55044
OFFICE: (952) 469-5600
FAX: (952) 469-1240
WWW.KCIBUILDS.COM

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PLAN REVISIONS
PREVIOUS REVISION DATES:
03.30.21 | 01.20.21 | 12.17.20 |
8.18.20 • 06.11.20

Certification
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the State of Minnesota.

Michael J. Menn Registration No.: 21772 1/31/2021

Healing Garden
Inver Grove Heights, MN
ELECTRICAL CONCEPT PLAN

1 First Floor Concept Electrical Plan
E1.1 3/16" = 1'-0"

E1.1	
Project #	Project Number
Date	03.30.21
Scale	As indicated

CONSTRUCTION NOTES:
1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

LEGEND

EXISTING SANITARY SEWER	—>>—
EXISTING STORM MANHOLE	⊙
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	⊙
EXISTING WATER MAIN	— —
EXISTING GATE VALVE	⊕
TELEPHONE PEDESTAL	⊕
TELEPHONE CABLE	— —
TELEPHONE MANHOLE	⊙
FIBER OPTIC CABLE	— —
FIBER OPTIC HAND HOLE	⊕
OVERHEAD WIRES	— —
ELECTRICAL BOXES	⊕
GAS MAIN	— —
UTILITY POLE	⊕
GUY OR ANCHOR	⊕
STREET LIGHT	⊕
GUARD POST	⊕
SIGN	⊕
PROPOSED BITUMINOUS	▨
PROPOSED CONCRETE	▩

ELFERING & ASSOCIATES
10002 FLORENCE ST NE
BLAINE, MN 55449
PH: 763-700-0460

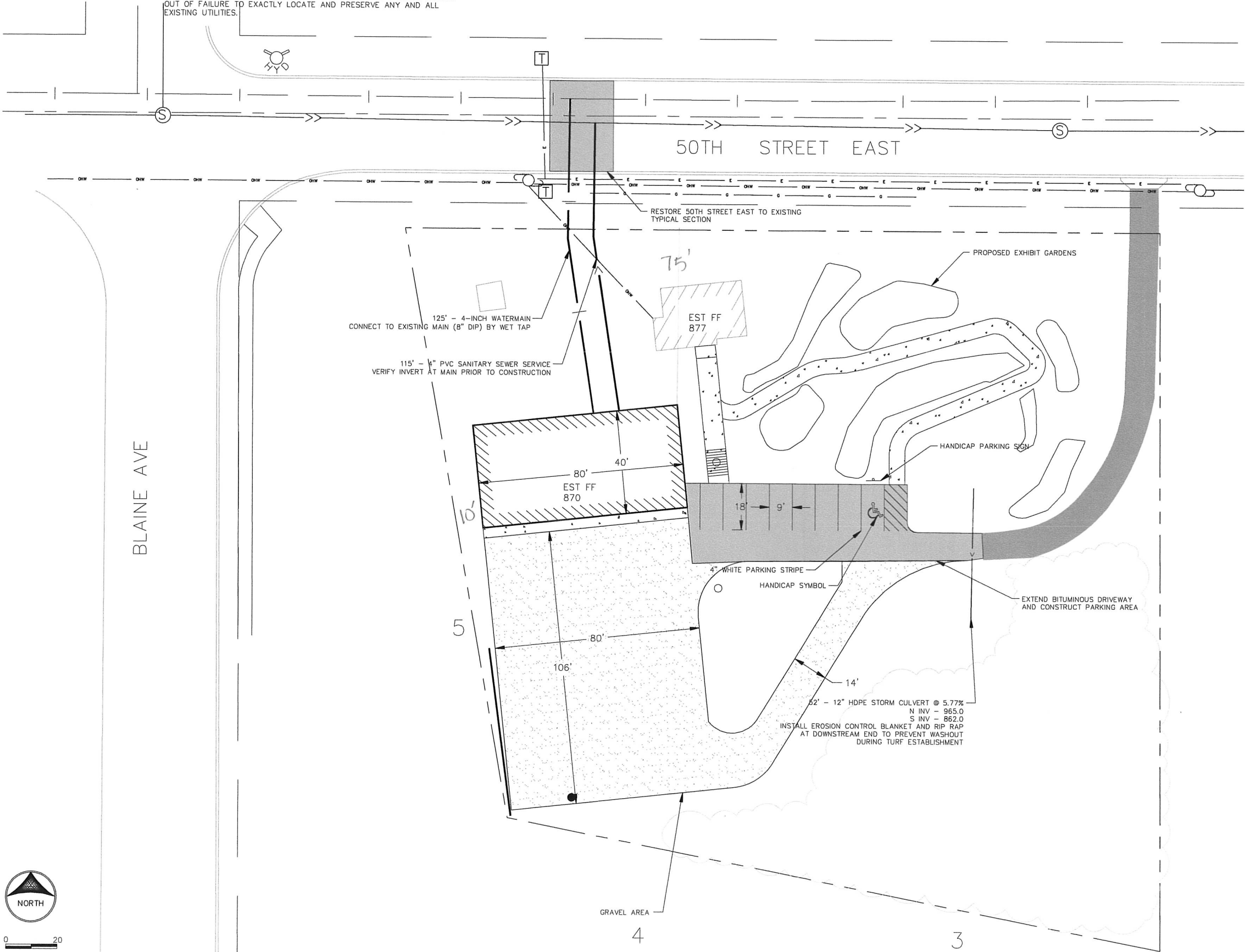
NO.	DATE	BY	REVISION DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, 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.
SIGNATURE: *Kristina Elfering* DATE: 7/1/19
PRINTED NAME: KRISTINA ELFERING LIC. NO. 42350

HEALING GARDEN REMODEL
2660 50TH ST E, INVER GROVE HEIGHTS
SITE AND UTILITY PLAN

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 6/3/19
CAD FILE: GRADING PLAN

SHEET
C3.0



Allan Hunting

From: Ed Colon <ed.colon@comcast.net>
Sent: Wednesday, March 31, 2021 2:37 PM
To: Allan Hunting
Subject: Re: Case No. 21-19CV

Thanks for your response Allan. This information is helpful. I don't see much to be concerned about in the plan, especially given, as you note below, the elevation of the site they will be building on.

However, can residents convey to the builder and Livingspace the hope that both will take care to maintain or enhance the view of this property that LPE residents will have? Either from their homes, or from entering/exiting the entrance to the development. What kind of signage will they put up? Will the perimeter be landscaped at all? Can they provide the perspective of the site from the vantage point of the entrance/exit to our development as noted in the Landscape Section of the application?

Is there any chance of any significant increase in levels of noise from trucks entering or exiting the business or the operation of any heavy equipment on the property itself? If the construction company and business owner could elaborate on these things at the upcoming meeting I'm sure it would be appreciated.

Please note that these questions are not meant to impede this project but ensure that both the construction company and business are taking the residences adjacent to the property into account in their planning. I can send these questions to Kim for the meeting, but thought I'd see if you have any thoughts as well. Thanks again for your assistance,

Ed Colon
Resident, Lafayette Park East

> On Mar 31, 2021, at 1:46 PM, Allan Hunting <ahunting@ighmn.gov> wrote:
>
> Mr. Colon,
>
> I am responding to your questions regarding project at 260 50th Street.
>
> The name of the business that will be occupying the property is Livingspace Landscapes. They are a design installation landscape company. This operation does not have a retail sales component.
>
> This use for a landscape contractors yard was approved in 2019 but did not start construction at that time. The request is an amendment to the plan as they are pushing the building to the back side of the property towards the highway and away from 50th. The plans do not identify tree removal along 50th Street except for some removal to install sewer and water lines. Most removal will be interior to the site for the new building and parking area. The floor elevation of the building will be approximately 20 feet below street grade and the building is only 18 feet high. We are awaiting a revised landscape plan to review.
>
> Allan Hunting
>
> -----Original Message-----
> From: Edward Colon <ed.colon@comcast.net>
> Sent: Monday, March 29, 2021 10:20 AM
> To: Kim Fox <kfox@ighmn.gov>

> Cc: Edward Colon <ed.colon@comcast.net>
> Subject: Re: Case No. 21-19CV
>
> Thanks Kim. This is helpful. What I think many residents will want to know and what the plan seems to lack is a specific plan to landscape/screen the outer perimeter that residents will see. Is this a subject matter for the hearing? Finally, I'm curious to know why the name of the landscape business isn't provided. I don't see it anywhere and I would think that residents would want to know what business will be bordering on their property. Any chance of obtaining that information?
>
> Thanks,
>
> Ed
>
>> On Mar 29, 2021, at 9:59 AM, Kim Fox <kfox@ighmn.gov> wrote:
>>
>> Mr. Colon:
>>
>> Attached is the information regarding the request for the property at 2660 - 50th Street. If you have additional questions I would recommend contacting Allan Hunting as he is the staff person most familiar with this request. He can be reached at 651-450-2554 or ahunting@ighmn.gov.
>>
>> Kim
>>
>> -----Original Message-----
>> From: Edward Colon <ed.colon@comcast.net>
>> Sent: Monday, March 29, 2021 9:34 AM
>> To: Kim Fox <kfox@ighmn.gov>
>> Cc: Edward Colon <ed.colon@comcast.net>
>> Subject: Case No. 21-19CV
>>
>> Hi Kim,
>>
>> My name is Ed Colon. I am a resident of Lafayette Park East HOA located at 50th St. and Blaine Avenue directly across from 2660 50th Street where Kim Construction is seeking a conditional use permit to build a contractors shop. Since this would replace green space directly across from our development and be in a highly visible location I was wondering if more information is available about the specifics of this proposal.
>>
>> Thank You,
>>
>> Ed Colon
>> 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.
>>
>>
>>
>> _____
>> Kim Fox | Community Development Support Specialist
>> Tel: (651) 450-2545
>> City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove
>> Heights | Minnesota | 55077 kfox@ighmn.gov |
>> www.ighmn.gov<<http://www.ighmn.gov>>
>>

>> [City of Inver Grove Heights] [City of Inver Grove Heights - Facebook]
<<https://www.facebook.com/cityofinvergroveheights/>>
>>
>>
>> <Kiehm Construction - Public Hearing Notice and Associated
>> Materials.pdf>
>
>
>
>
> _____
> Kim Fox | Community Development Support Specialist
> Tel: (651) 450-2545
> City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove
> Heights | Minnesota | 55077 kfox@ighmn.gov |
> www.ighmn.gov<<http://www.ighmn.gov>>
>
>
>
>
> _____
> Allan Hunting | City Planner
> Tel: (651) 450-2554
> City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove
> Heights | Minnesota | 55077 ahunting@ighmn.gov |
> www.ighmn.gov<<http://www.ighmn.gov>>
>
> [City of Inver Grove Heights] [City of Inver Grove Heights - Facebook]
<<https://www.facebook.com/cityofinvergroveheights/>>
>
>

Allan Hunting

From: Michael Holmgren <mholmgren0805@gmail.com>
Sent: Thursday, April 1, 2021 7:53 AM
To: Kim Fox
Cc: Barb Holmgren; Sheila Waltz
Subject: Fwd: Kiehm Construction Case No. 21-19CV

Sent from my iPhone

Begin forwarded message:

From: Michael Holmgren <mholmgren0805@gmail.com>
Date: April 1, 2021 at 7:43:33 AM CDT
To: kfox@igmn.gov
Subject: Kiehm Construction Case No. 21-19CV

To:

The Planning Commission

The area where this request is being proposed is in a strictly residential area. The north side of 494 is populated by all homes and townhouses from hwy 494 to Southview Blvd.

The only exception being the storage units located on the west side of Blaine Ave that you allowed to be built two years ago. Since storage units can be useful to a neighborhood and have very little traffic to affect the residents, I was not concerned about their being located in the area.

A commercial construction company is a different situation. It would be adding large trucks and noise to a residential neighborhood. It would also cause a dangerous situation for the children who play and ride their bikes in the area and for the residents who walk their dogs and walk in the area.

Approval of this proposal would cause a decrease in the value of homes in the area and a decrease in city tax revenue because of it.

Please keep our residential areas safe and free from commercial road traffic.

Please do not allow a development that would decrease the value of homes in the area by tens of thousands of dollars each (a decrease of millions of dollars of taxable revenue to the city).

Thank you for considering the information in this e-mail.

Sincerely,

Michael P. Holmgren
4892 Bolger Trail
Inver Grove Heights, MN

Sent from my iPhone

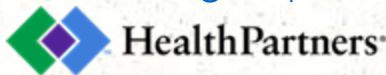
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Albrecht, Victoria A](#)
To: [Kim Fox](#)
Subject: Kiehm Construction Case No 21-19CV
Date: Wednesday, April 14, 2021 1:32:32 PM
Attachments: [image002.png](#)

We're concerned about the noise this would bring. Our townhouse is right next to this. Also, concerned that there would be a bunch of traffic coming and going and that it would block us from easily using 50th Street to get to 7th Ave and access 494. We have limited roads here to get anywhere. 50th Street is our main road to get out.

Victoria Albrecht

Employer Group Billing Tech
Membership Accounting--MS 21104A
Direct 952.883.6022 / Fax 952.883.6075
victoria.a.albrecht@healthpartners.com



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**Request for Council Action****TITLE:** Precision Signs - Case No. 21-21V

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	X
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Heather Botten 651-450-2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED: Consider a Resolution relating to a Variance to install two free standing signs less than 200 feet apart for property located at 11380 Courthouse Boulevard.

- Requires a 3/5th's vote.
- 60-day deadline: May 4, 2021 (first 60-days)

SUMMARY:

The applicant is proposing two freestanding signs 110 feet apart whereas 200 feet is the required separation between signs in industrial districts. The signs would be about 24 square feet in size and would be located on both sides of the main driveway. The property is about 25 acres in size, has about 850 feet of road frontage, and there are two access points. The intent of the sign ordinance is to allow for signage visibility and safe identification for a property, but it is also to prevent sign clutter or sign pollution.

Staff believes that the property can be used in a reasonable manner without the need for a variance, there is enough room on the property to comply with the sign regulations. Approval of a variance could set a precedent for other signs to be installed within the 200 foot spacing requirement, and if there is concern of visibility the sign size could increase up to 100 square feet in size.

Staff believes the request for the additional building could be considered a convenience to the applicant and not a practical difficulty.

Planning Staff: Staff recommends denial of the variance request as the conditions of the property are not unique and approval of the variance could set a precedent for other sign spacing requests. Staff believes the facts presented do not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance.

Planning Commission: At the April 6th, 2021 public hearing, the Commission recommended denial of the variance request stating the facts presented did not satisfy the criteria needed to show a practical difficulty (8-0).

Attachments: Denial Resolution
PC recommendation
Planning staff report

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

RESOLUTION NO. ____

**RESOLUTION DENYING A VARIANCE TO ALLOW TWO FREESTANDING SIGNS LESS
THAN 200 FEET APART**

**CASE NO. 21-21V
Precision Signs**

11380 Courthouse Boulevard and legally described as follows:

Section 34, Township 27, Range 22
Part of the Southwest ¼ of the Northeast ¼ lying North and East of the Northerly
line of Great Northern Oil Branch RR, East of East R/W STH #52 and 56 and West of
West line of East 150 feet of said Southwest ¼ of Northeast 1/4

WHEREAS, an application has been received for a Variance to allow two detached
sign 110 feet apart whereas 200 feet is the required spacing for freestanding signs;

WHEREAS, the afore described property is zoned I-2, General Industrial;

WHEREAS, a Variance may be granted by the City Council from the strict
application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and
safeguards imposed in the variance so granted where practical difficulties or particular
hardships result from carrying out the strict letter of the regulations of the Zoning Code,
as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the
request on April 6, 2021 in accordance with City Code Section City Code 10-3-3:C;

WHEREAS, a practical difficulty or uniqueness was not found to exist based on the
following findings:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for spacing of other freestanding signs.

3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Allowing the signs to be closer than 200 feet apart appears to be a convenience to the landowner and not dictated by unique circumstances of the property. The property is large enough to comply with spacing guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a variance to allow two freestanding signs to be closer than 200 feet apart is hereby denied.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: April 6, 2021

SUBJECT: **PRECISION SIGNS - CASE NO. 21-21V**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow more than one free standing sign on the property, for the property located at 11380 Courthouse Boulevard. 7 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is proposing two freestanding signs 110 feet apart whereas 200 feet is the required separation between signs in industrial districts. The signs would be about 24 square feet in size and would be located on both sides of the main driveway. The property is about 25 acres in size, has about 850 feet of road frontage, and there are two access points. The intent of the sign ordinance is to allow for signage visibility and safe identification for a property, but it is also to prevent sign clutter or sign pollution. Staff believes that the property can be used in a reasonable manner without the need for a variance, there is enough room on the property to comply with the sign regulations, approval of a variance could set a precedent, and if there is concern of visibility the sign size could increase up to 100 square feet in size. Staff recommends denial of the request. Staff did not hear from any of the abutting property owners.

Commissioner Maggi asked if the signs were directional in nature or to designate an entrance versus an exit.

Ms. Botten displayed a depiction of the proposed signs and stated that they are somewhat directional, but if the name of the business is on the signs then it must comply with the sign code.

Opening of Public Hearing

The applicant was not present.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber to deny the variance request for a variance to allow more than one free standing sign on the property, for the property located at 11380 Courthouse Boulevard, with the three conditions listed in the report.

Commissioner Challeen asked for clarification about the arrows on the signs and where they were directing traffic to.

Recommendation to City Council

April 6, 2021

Page 2

Ms. Botten replied that both signs had arrows pointing into the development.

Commissioner Challeen questioned whether they signified something important to someone driving onto the property.

Ms. Botten replied that a two-sided sign would provide the same benefit.

Second by Commissioner Clancy.

Motion carried (8/0). This item goes to City Council on April 26, 2021.



PLANNING REPORT

CASE NO: 21-21V

APPLICANT: Precision Signs, Service, and Installation

PROPERTY OWNER: Swift Transportation

REQUEST: Variance to allow freestanding signs less than 200 feet apart

HEARING DATE: April 6, 2021

LOCATION: 11380 Courthouse Blvd

COMPREHENSIVE PLAN: GI, General Industrial

ZONING: I-2, General Industry

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is proposing two freestanding signs 110 feet apart whereas 200 feet is required between signs. The signs would be about 24 square feet in size and located on each side of the main driveway.

Within the B-3, I-1 and I-2 Districts, more than one free standing sign is permitted provided the signs are at least 200 feet apart. The property is 25 acres in size and has a road frontage of over 850 feet.

EVALUATION OF THE REQUEST

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

North: I-State; zoned I-1, Limited Industry; guided LI, Light Industrial

East: Open space; zoned A, Agricultural; guided Public Open Space

West: Hwy 52 and mining operation; zoned I-2, General Industry; guided GI, General Industrial

South: Industrial; zoned I-1, Limited Industry; guided LI, Light Industrial

VARIANCE

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The intent of the signage section of the zoning ordinance is to allow for signage visibility and safe identification for a property. Massing and scale allowed for signs, varies by zoning category based on the general allowed intensity of each district. Even though the applicant would be complying with setbacks and size requirements, staff does not believe the variance request is consistent with, or in harmony with the zoning ordinance and comprehensive plan.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The sign ordinance is in place to prevent sign clutter and "sign pollution". The property can be used in reasonable manner without the need for a variance. The property is over 850 feet in length, there is room on the property to comply with the sign ordinance.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

There do not appear to be any unique circumstances not created by the landowner.

The nature of the use is a destination oriented business, not a drive by and decide to stop. When traveling down the frontage road the entrance sign would be able to be seen on either side of the driveway. If there is concern of visibility the sign size could increase up to 100 square feet in size.

4. *The variance will not alter the essential character of the locality.*

The properties along the frontage road are developed industrial properties that are in compliance with sign requirements. Approving a variance for signs closer together may set a precedent for other businesses wanting to do the same.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

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 action should be taken:

- Approval of the **Variance** to allow two signs to be spaced less than 200 feet part subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The sign shall be located at least 15 feet from the front property line, out of the sanitary sewer easement that runs along the front property line.

Hardship: To be stated

B. Denial. If the Planning Commission does not favor the proposed variance request, it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. The property has over 850 feet of road frontage. Approval of the variance could set a precedent for other signs to be spaced closer than 200 feet apart.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Allowing the signs to be closer in distance appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

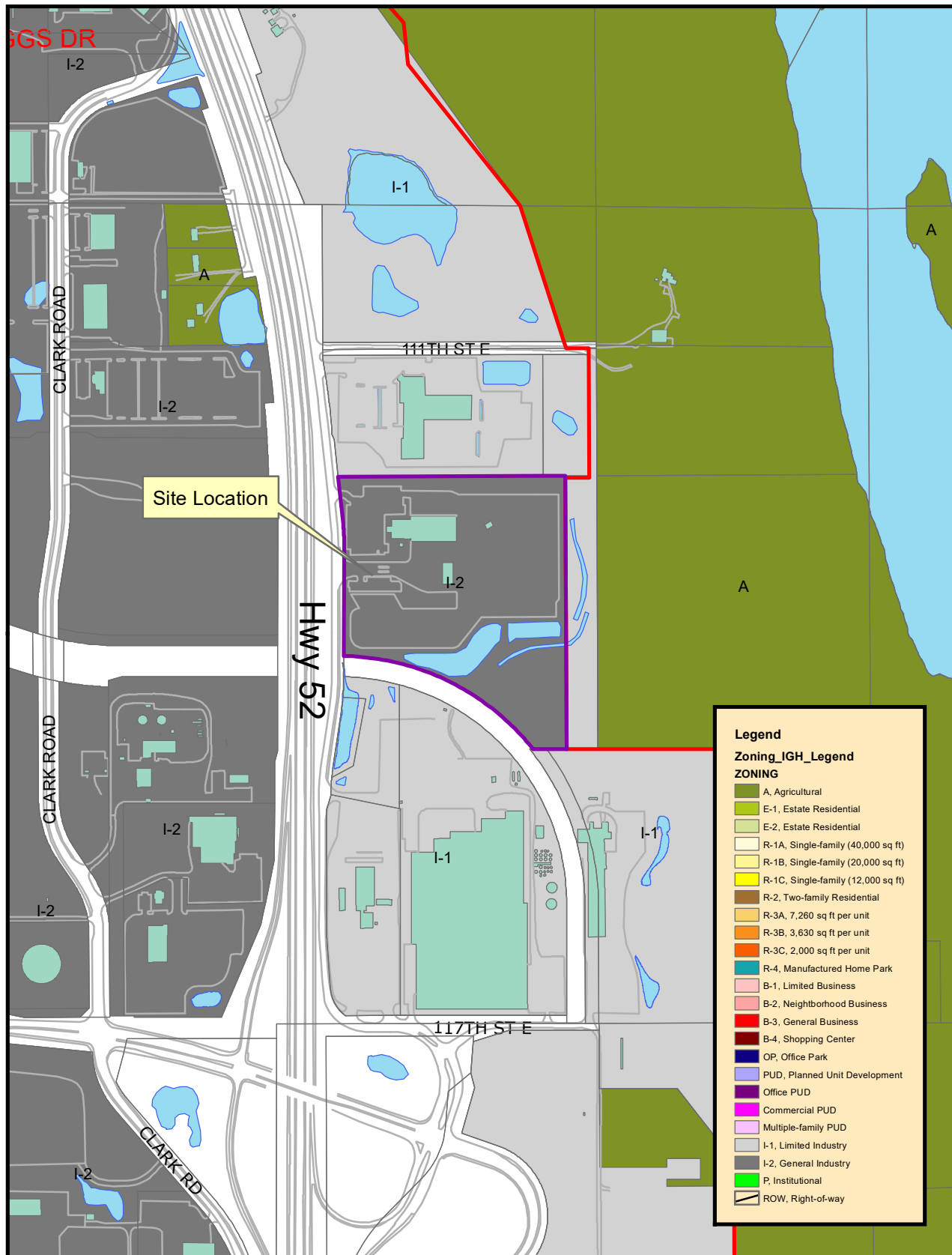
RECOMMENDATION

Staff does not believe the criteria for a variance has been shown and therefore for the reasons listed in alternative B staff is recommending denial of the proposed variance request.

Attachments: Zoning and Location Map
Site plan
Proposed sign



11380 Courthouse Blvd Case No. 21-21V



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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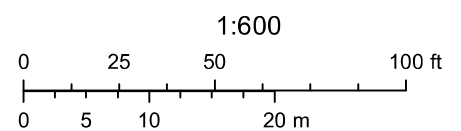
Exhibit A
Zoning and Location Map

Map not to scale

Iron Maintenance



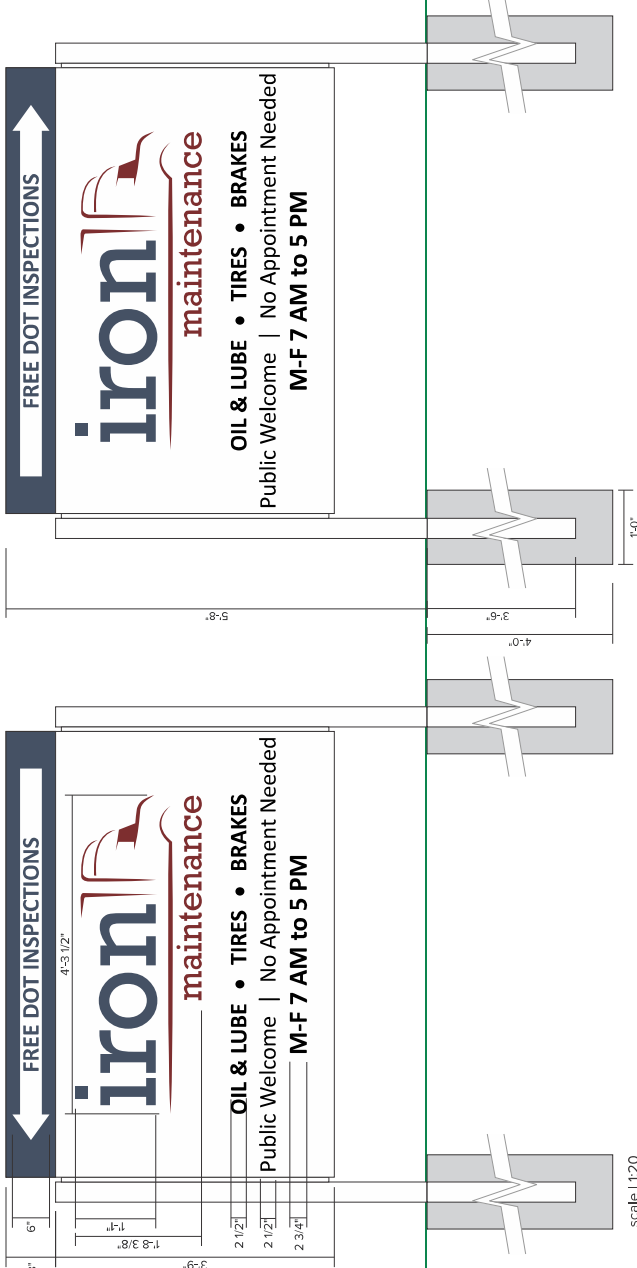
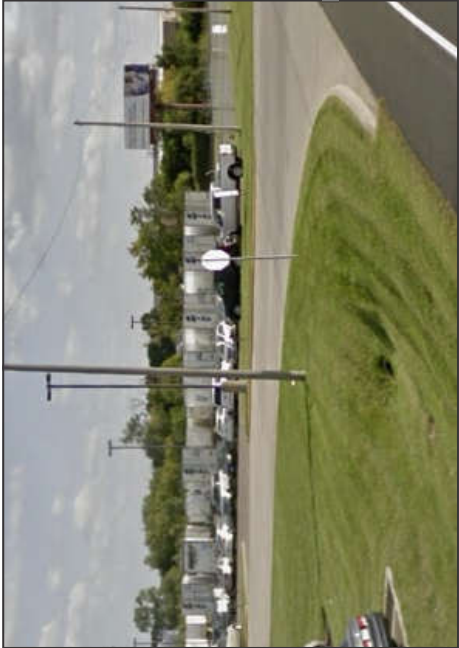
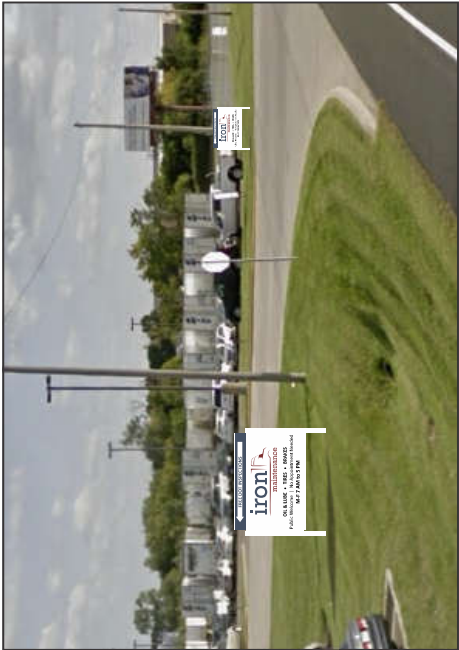
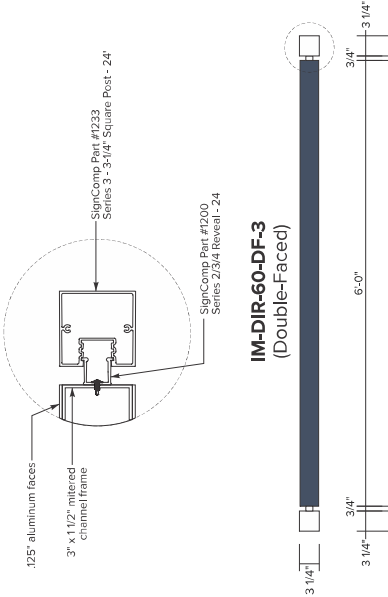
October 30, 2020



Property Information

D/F Post and Panel Sign (Qty. 2)

Install new post and panel signs as shown.



POSTS, SIGN FACES & REVEALS

All surfaces: Paint N202SP White

Top Panel: Paint to match navy vinyl

VINYL GRAPHICS

- Film (Logo): 3M #7725-197 Light Navy Film (first surface)
- Film (Logo): 3M #7725-58 Burgundy Film (first surface)
- Film (Copy): 3M #7725-12 Black Film (first surface)
- Film (Arrow): 3M #7725-10 White Film (first surface)

Revisions:

STND X
CSM

X
X
X
X
X
X



Underwriters Laboratories, Inc.

All dimensions are imperial unless specified metric. Items are to be installed in strict UL compliance.

**Request for Council Action****TITLE:** Alliant Ventures III

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Allan Hunting 651-450-2554	Budget amendment requested	
Prepared by:	Allan Hunting	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Consider the following for property located on Cahill Avenue, west of Inver Grove Trail:

1) An Ordinance to Rezone the property from E-1, Estate Residential to R-3B, Multiple Family Residential District.

- Requires a 3/5th's vote.

2) A Resolution relating to a Preliminary Plat for a 20 lot townhome development to be known as Pine Bend Estates 2nd Addition.

- Requires a 3/5th's vote.

3) A Resolution relating to a Conditional Use Permit for a 20 unit townhome multiple family development.

- Requires a 4/5th's vote.

2) A Resolution relating to a Variance to allow 25 foot front setback and 20 foot separation between end units.

- Requires a 3/5th's vote.
- 60-day deadline: May 7, 2021 (first 60 days)

SUMMARY:

The applicant is proposing to develop the second phase of the Pine Bend Estates project. The first phase consisted of 14 single family homes. The second phase consists of 20 townhome units on the west 5.5 acres of the site. A new public street is proposed to serve the units. A conditional use permit is required for all multiple family developments. Variances are being requested from front yard setback and separation between buildings.

ANALYSIS:

- This phase density is 3.6 units per acre. Overall density for phase 1 and phase 2 is 2.3 units per acre.
- Powerline easement takes up much of the west half of the total site. Proposing all units on the west side of the public street. East side is all easement.
- Proposing 25 foot front yard setbacks to allow some relief to unit placement since the buildable area is narrow between the west property line and the powerline easement.
- Proposing a 20 foot separation between end units whereas 30 feet is required. Since all units have to be on west side of road, requesting some relief to allow buildings to be closer together to achieve a reasonable density.
- All other performance standards have been met.

There was considerable amount of discussion regarding the location of the proposed public street to Cahill Avenue and its location on a curve. A number of residents have raised concerns regarding the location and background traffic issues in this area. The applicant has provided two studies prepared by their traffic consultant on traffic generated by the project and need for right turn lanes and need for left turn lanes based on sight visibility. Their conclusions were the trips generated by the project do not warrant any right turn lane construction. They also concluded the sight visibility at the proposed location on Cahill met visibility standards and no left turn lanes needed.

The City hired its own consultant, SEH, to review the applicant's information. The SEH review "confirms that the estimated peak hour volumes of new trips for the development do not warrant the need for dedicated left and right turn lanes on Cahill."

Regarding sight distances at the proposed intersection, SEH did an on-site evaluation and confirmed the general accuracy of the methodologies made by the applicant's traffic consultant and that stopping sight distance evaluation from north and south are met. Both consultants conclude that vegetation must be minimized in this area and monitor the roadway for any future safety concerns after construction is complete. SEH notes "Stopping sight distance is met from both approaches, which suggests that vehicles traveling on Cahill Avenue have enough distance to safely stop if a vehicle entered the roadway unexpectedly at the proposed intersection."

RECOMMENDATION:

Planning Staff: Recommends approval of the rezoning, preliminary plat, CUP and Variances as presented. Constraints on site seem to warrant variance approval.

Planning Commission: Had considerable discussion about the access location and traffic concerns. Ultimately recommended approval (7-1).

Attachments: Rezoning Ordinance

Preliminary Plat Resolution

Conditional Use Permit Resolution

Variance Resolution

Planning Report

Two traffic studies prepared by Applicant's consultant

Traffic study prepared by City Consultant SEH

Resident E-mails (4)

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE
INVER GROVE HEIGHTS CITY CODE**

CASE NO. 21-22SV
(Alliant Ventures III)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described property located within the City of Inver Grove Heights from E-1, Estate Residential to R-3B, Multiple Family Residential District to wit:

Lots 1-21, Block 1, Pine Bend Estates 2nd Addition

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Ordinance No. _____
Page 2

Enacted and ordained into an Ordinance this 26th day of April, 2021.

Ayes:

Nays:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 21-

RESOLUTION APPROVING A PRELIMINARY PLAT TO BE KNOWN AS PINE BEND ESTATES 2ND ADDITION

CASE NO. 21-22SV
(Alliant Ventures)

WHEREAS, an application for a Preliminary Plat has been submitted for property legally described as the following;

Outlot D, Pine Bend Estates, Dakota County, Minnesota.

WHEREAS, a public hearing concerning the Preliminary Plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on April 6, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the Preliminary Plat of Pine Bend Estates 2nd Addition is hereby approved, subject to the following conditions:

1. The final plat and plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 2/26/21
Preliminary Site Plan	dated 2/26/21
Preliminary Grading Plan	dated 2/26/21
Preliminary Erosion Control Plan	dated 2/26/21
Preliminary Sanitary & Watermain	dated 2/26/21
Preliminary Storm Sewer	dated 2/26/21
Preliminary Street Plan and Profiles	dated 2/26/21
Preliminary Landscape Plan	dated 2/26/21
Preliminary Tree Preservation Plan	dated 2/26/21
Impervious Surface Plan	dated 3/24/21

***The final list of approved plans and date of plans shall be identified in the development contract.**

2. Park dedication shall be a cash contribution per 20 units at the current rate to be paid at time of plat release.
3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
4. Drainage and Utility easements shall be provided on the final plat as required by the Director of Public Works.
5. A development contract shall be approved by the City Council with the approval of the final plat.
6. The Final plat and development contract shall be filed with Dakota County prior to any building permits being issued for the site.
7. Streetlights shall be required to be installed by the developer anticipated to be at the Cahill Avenue intersection and the cul-de-sac. The location and number of streetlights to be determined by the local electric company. A street light agreement shall be entered into between the City and developer.

Adopted by the City Council of Inver Grove Heights this 26th day of April , 2021.

Thomas Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 21-

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A 20 UNIT TOWNHOME DEVELOPMENT

CASE NO. 21-22SV
(Alliant Ventures)

WHEREAS, an application for Conditional Use Permit has been submitted for property legally described as the following;

Outlot D, Pine Bend Estates, Dakota County, Minnesota

WHEREAS, the aforescribed property is currently zoned R-3B, Multiple Family Residential District;

WHEREAS, all conditional use permits are subject to the criteria listed in City Code Title 10, Chapter 3, Article A, Section 10-3A-5, regarding consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria;

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on April 6, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Conditional Use Permit for a 20 unit townhome multiple family development is hereby granted for the aforescribed property, subject to the following conditions:

1. The final plat and plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat
Preliminary Site Plan

dated 2/26/21
dated 2/26/21

Preliminary Grading Plan	dated 2/26/21
Preliminary Erosion Control Plan	dated 2/26/21
Preliminary Sanitary & Watermain	dated 2/26/21
Preliminary Storm Sewer	dated 2/26/21
Preliminary Street Plan and Profiles	dated 2/26/21
Preliminary Landscape Plan	dated 2/26/21
Preliminary Tree Preservation Plan	dated 2/26/21
Impervious Surface Plan	dated 3/24/21

***The final list of approved plans and date of plans shall be identified in the development contract.**

2. Park dedication shall be a cash contribution per 20 units at the current rate to be paid at time of plat release.
3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
4. Drainage and Utility easements shall be provided on the final plat as required by the Director of Public Works.
5. A development contract shall be approved by the City Council with the approval of the final plat.
6. The Final plat and development contract shall be filed with Dakota County prior to any building permits being issued for the site.
7. Streetlights shall be required to be installed by the developer anticipated to be at the Cahill Avenue intersection and the cul-de-sac. The location and number of streetlights to be determined by the local electric company. A street light agreement shall be entered into between the City and developer.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Thomas Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 21-_____

**RESOLUTION APPROVING A VARIANCE TO ALLOW FRONT YARD SETBACKS TO 25 FEET
AND 20 FOOT SEPARATION BETWEEN END UNITS OF TOWNHOMES**

Case No. 21-22CV
(Alliant Ventures)

WHEREAS, an application for a variance has been submitted for the property legally described as:

**Outlot D, Pine Bend Estates, according to the recorded plat, Dakota
County, Minnesota**

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on April 6, 2021 in accordance with City Code Section City Code 10-3-3 C;

WHEREAS, a practical difficulty or uniqueness was found to exist based on the following findings:

Practical difficulty being the impact to the developable area of the site due to the large powerline easement over most of the eastern half of the site which limits the developable area of the site.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow 25 foot front yard setbacks and 20 foot separation between end units is hereby approved subject to the following conditions:

1. The final plat and plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 2/26/21
Preliminary Site Plan	dated 2/26/21
Preliminary Grading Plan	dated 2/26/21
Preliminary Erosion Control Plan	dated 2/26/21
Preliminary Sanitary & Watermain	dated 2/26/21
Preliminary Storm Sewer	dated 2/26/21
Preliminary Street Plan and Profiles	dated 2/26/21
Preliminary Landscape Plan	dated 2/26/21
Preliminary Tree Preservation Plan	dated 2/26/21
Impervious Surface Plan	dated 3/24/21

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 26th day of April, 2021.

Thomas Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk



PLANNING REPORT

CASE NO.: 21-22SV

APPLICANT: Alliant Ventures

PROPERTY OWNER: Alliant Ventures

REQUEST: Rezoning, Preliminary plat, conditional use permit for multiple family development and variance

LOCATION: Cahill Avenue, west of Inver Grove Trail

HEARING DATE: April 6, 2021

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing to develop the second phase of the Pine Bend Estates project. The first phase consisted of 14 single family homes. The second phase consists of 20 townhome units on the west 5.5 acres of the site. A new public street is proposed to serve the units. A conditional use permit is required for all multiple family developments. Variances are being requested from front yard setback and separation between buildings.

REQUESTS

The specific requests for the project include the following:

1. Rezoning of the 5.5 acre parcel from E-1, Estate Residential to R-3B, Multiple Family Residential District.
2. Preliminary Plat for a 20 lot and one common lot plat to be known as Pine Bend Estates 2nd Addition.
3. Conditional Use Permit for the 20 townhome units.
4. Variance from front yard setbacks to 25 feet and from building separation to 20 feet.

EVALUATION OF THE REQUEST

Rezoning. The applicant is proposing to rezone the property to R-3B. The total acreage for the two phases is 14.5 acres. This phase would have a density of 3.63 units per acre. The total overall density of both phases would be 2.3 units per acre which would be consistent with comprehensive guiding for the property.

Preliminary Plat

Lot size and Width.

Townhouse plats do not have minimum lot size or width requirements for each lot. The plat consists of 20 townhome lots and one common lot that surrounds the project. One public street would be constructed for the neighborhood giving access to Cahill Avenue. Total length of the cul-de-sac is about 450 feet which falls within maximum allowed. The balance of the parcel on the east side of the proposed street is encumbered by easement for overhead powerlines. No further development can occur on the site.

Building Setbacks.

The project is proposed with setbacks listed in table below.

Multi Family Neighborhood Townhomes	R-3B Standard	Proposed
Front Yard Setback	30 feet	25 feet
Side Yard	20 feet	N/A
Rear Yard	30 feet	40 feet
Separation between buildings	30 feet	20 feet

Variances from standards are discussed later in report.

Impervious surface and building coverage.

The R-3B district has a maximum building coverage of 20% and maximum impervious surface coverage of 40%. Total impervious surface for the buildings and driveways is 18% of the site which would comply with both standards.

Tree Preservation/Landscaping.

The applicant has provided a tree preservation plan and general landscape plan. Tree removal exceeds the threshold and therefore replantings are required. A total 33 trees must be replanted. Landscaping ordinance requires one tree per unit or 20 trees. Total trees to be planted shown on the landscape plan equal 54 trees which satisfy the requirements.

Park Dedication.

Park dedication would consist of a cash contribution for all the lots. R-3B, Multiple Family cash contribution is \$4,000 per unit. Fees are payable at time of final plat release.

Access/Streets.

The project would include a public street with a cul-de-sac. Street would be 28 feet wide allowing parking on one side. Access location has been reviewed and found to be acceptable.

Off street parking is satisfied with each unit have a two-car garage and driveway. Sufficient guest parking would be provided on the street.

The applicant has provided a traffic study to review traffic volumes from the new development and if any road improvements are necessary. The report identifies the project would have a

negligible impact on current traffic conditions and new traffic does not warrant a right turn lane need.

Grading, drainage, stormwater and utilities.

Barr Engineering is conducting a review of the plans for storm water management. The first phase of development was designed so the ponds created in that phase were sized to accommodate this future development. A condition of approval is final review and approval of plans by the City Engineer.

Building Exteriors. Exterior elevations have not been submitted at this time. All townhouses must comply with the exterior standards for residential units as found in the zoning ordinance.

Development contract.

The Developer and Owner shall enter into a Development Contract and other associated agreements with the City. The list of agreements and details of the contract will be discussed with the applicant, city attorney and staff as part of the final PUD review. All the agreements will be approved by the City Council as part of the final PUD review.

General Conditional Use Permit Criteria Review

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

1. *The use is consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*

The surrounding area is developed with a mix of single family including larger lot and smaller lot single family. This lot abuts MnDOT right-of-way and Cahill Avenue. Typical residential density transition is a higher density along major roadways and blend to lower density away from the main roads. The overall project density of both phases of Pine Bend Estates is 2.3 units per acre which falls within the LDR density range of 1-4 units per acre.

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

The project is consistent with the performance standards of the R-3B district except for two parameters which applicant is requesting variances.

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

The use follows the typical density transition for residential from major roadways. The unit count is relatively small and therefore would not appear to have a negative effect on the neighborhood.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

All municipal services exist for the lot and the development would not require upgrading of any services or utilities.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*

i. Aesthetics/exterior appearance

Building materials must comply with exterior standards found in the zoning ordinance.

ii. Noise

The project would not be out of character.

iii. Fencing, landscaping and buffering

The applicant is providing landscaping along the backyards of the properties to provide some additional screening/buffering from the highway.

6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

The proposed use fits in well with the limitations that exist on the site. There is a wide electric overhead powerline easement that runs through the eastern side of the lot. This dictates all improvements must be on the west side of the powerline easement which pushes the units to the far west side of the lot.

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

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

8. *The use does not have an undue adverse impact on the environment, including, but not limited to, surface water, groundwater and air quality.*

The development must follow all current stormwater standards which include on-site ponding and there will be improvements made to address existing storm water in the area.

VARIANCE

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

Allowing the two variances do not appear to be contrary to the general purpose and intent of the code. The project is isolated and the variances would not negatively impact surrounding properties.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The property is being used in a reasonable manner. The variances do not affect how the property is used.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The eastern half of the site is greatly impacted by the powerline easement. No structures can be within the easement so development can only occur on the west side. Allowing a small reduction in front yard setback provides some flexibility in design

4. *The variance will not alter the essential character of the locality.*

The variances do not appear to alter the character of the neighborhood. The single family phase 1 of the project was approved with some reduced front yard setbacks.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

- A. Approval:** If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:
- Approval of the Rezoning from E-1, Estate Residential District to R-3B, Multiple Family Residential District.
 - Approval of the Preliminary Plat, of Pine Bene Estates 2nd Addition and the Conditional use Permit subject to the following conditions:
 1. The final plat and plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 2/26/21
Preliminary Site Plan	dated 2/26/21
Preliminary Grading Plan	dated 2/26/21
Preliminary Erosion Control Plan	dated 2/26/21
Preliminary Sanitary & Watermain	dated 2/26/21
Preliminary Storm Sewer	dated 2/26/21
Preliminary Street Plan and Profiles	dated 2/26/21

Preliminary Landscape Plan	dated 2/26/21
Preliminary Tree Preservation Plan	dated 2/26/21
Impervious Surface Plan	dated 3/24/21

***The final list of approved plans and date of plans shall be identified in the development contract.**

2. Park dedication shall be a cash contribution per 20 units at the current rate to be paid at time of plat release.
 3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
 4. Drainage and Utility easements shall be provided on the final plat as required by the Director of Public Works.
 5. A development contract shall be approved by the City Council with the approval of the final plat.
 6. The Final plat and development contract shall be filed with Dakota County prior to any building permits being issued for the site.
 7. Streetlights shall be required to be installed by the developer anticipated to be at the Cahill Avenue intersection and the cul-de-sac. The location and number of streetlights to be determined by the local electric company. A street light agreement shall be entered into between the City and developer.
- Approval of the variances from front yard setbacks and building separation subject to the following condition:
 1. The final plat and plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 2/26/21
Preliminary Site Plan	dated 2/26/21
Preliminary Grading Plan	dated 2/26/21
Preliminary Erosion Control Plan	dated 2/26/21
Preliminary Sanitary & Watermain	dated 2/26/21
Preliminary Storm Sewer	dated 2/26/21
Preliminary Street Plan and Profiles	dated 2/26/21
Preliminary Landscape Plan	dated 2/26/21
Preliminary Tree Preservation Plan	dated 2/26/21
Impervious Surface Plan	dated 3/24/21

Practical difficulty being the impact to the developable area of the site due to the large powerline easement over most of the eastern half of the site which limits the developable area of the site.

- B. Denial:** Should the proposed request, or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

A technical review of the project shows that it meets performance standards except for the two variances being requested. Staff feels there is justification to support the variances.

Staff would recommend approval of the rezoning, preliminary plat, conditional use permit and variances with the conditions listed.

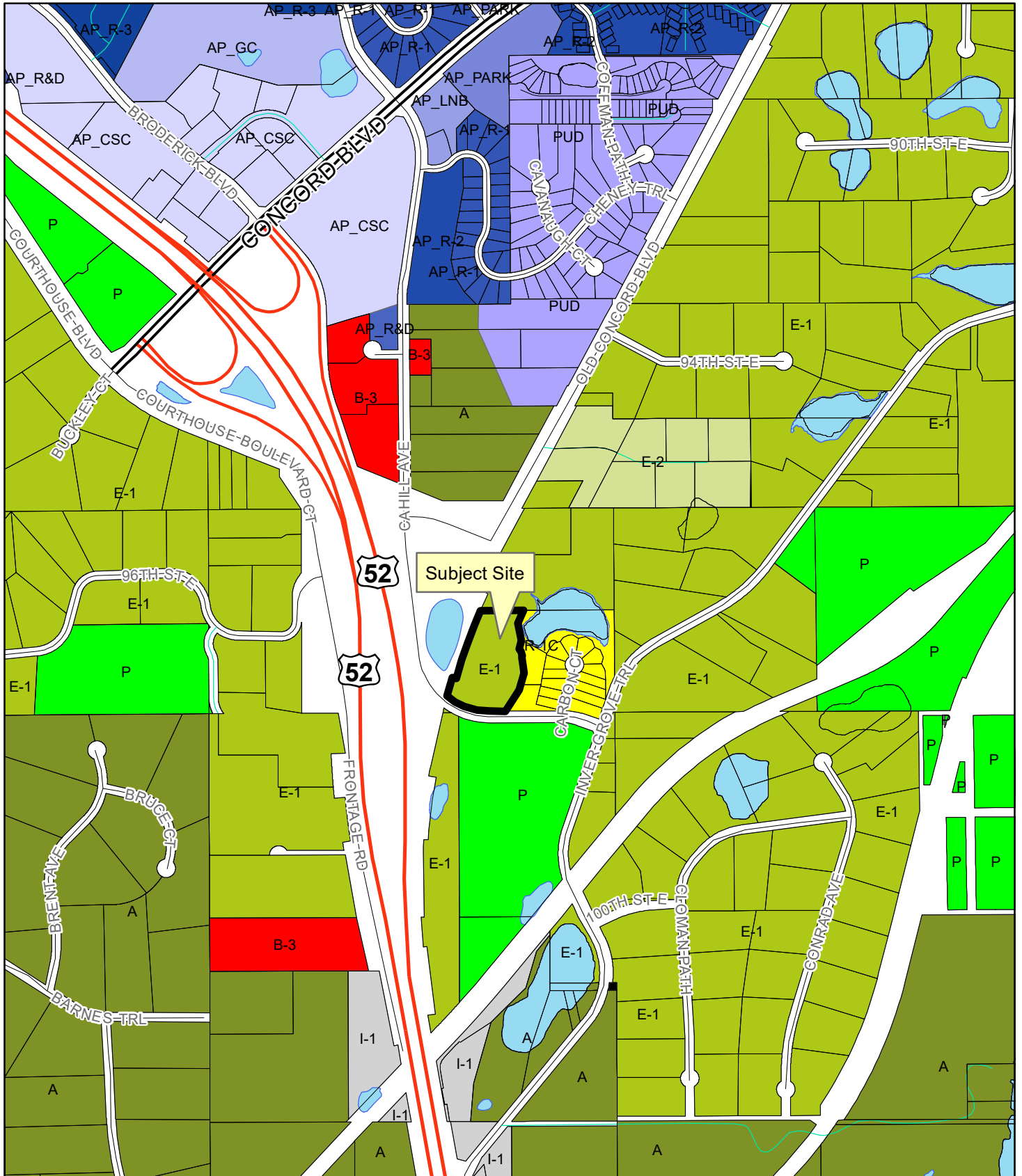
Attachments:

Location/Zoning Map
Applicant Narrative
Cover Sheet
Preliminary Plat
Preliminary Site Plan
Preliminary Grading Plan
Preliminary Erosion Control Plan
Preliminary Sanitary & Watermain
Preliminary Storm Sewer
Preliminary Street Plan and Profiles
Preliminary Landscape Plan
Preliminary Tree Preservation Plan
Impervious Surface Plan
Traffic Study



Location Map

Case No. 21-22SV





To: City of Inver Grove Heights
From: Alliant Ventures III, LLC
Robert J. Machacek, Chief Operating Officer

Re: Pine Bend Estates 2nd Addition

Date: March 8, 2021

Thank you in advance for taking the time to review the preliminary plat application for Pine Bend Estates 2nd Addition.

The Property

The 2nd Addition consists of about 5.5 acres of the 14.5 total project acreage located in the northwest corner of Cahill Avenue and Inver Grove Trail on the east side of town. Pine Bend 1st addition single family homes are located directly east. This 2nd addition is a continuation of that neighborhood. Highway 52 (Courthouse Boulevard) is west of the site. The property is rolling with a 200' powerline easement running through the property.

Comprehensive Plan

The Property is currently guided for low density residential which allows 1-4 units/acre. The entire Pine Bend development including both 1st and 2nd additions is 14 single family and the proposed 20 townhome units for a total of 34 units. Both additions are a total of about 14.5 acres which puts both additions at 2.3 units/acre.

Zoning

This project will be zoned R-3B multiple family residential.

Variances

We are following the zoning ordinance for R-3B districts. The only bulk standard we are asking for deviation from is the front setback. We are requesting the 30' requirement become 25' front setback.

As per state and local statutes, variances may be permitted if they meet the three-part practical difficulties test:

1. Reasonableness. The property owner proposes to use the property in a reasonable manner. We are proposing a row of townhome buildings with Highway 52 located west of the site and a 200' overhead powerline encumbering the east edge of these proposed townhomes. The addition of this townhome neighborhood still allows the entire Pine Bend development to fit within the comprehensive plan density requirement of 1-4 units/acre. This variance request reduces the front yard setback to 25' which is in line with a standard building commonly allowed not only within Inver Grove Heights but also many other communities in the Twin Cities. Pine Bend 1st Addition used 25' front yard setbacks.

2. Uniqueness. These townhomes are pinched in between the right-of-way of Highway 52 and a large powerline easement. This reduced setback allows for more efficient utility services and reduces driveway pavement and impervious surface coverage.
3. Essential character. The variance will not alter the essential character of the locality. By reducing the front yard setback from 30' to 25', we will be reducing impervious surface coverage and providing for more efficient service lengths. This deviation from the ordinance will not be visibly noticeable.

The table below shows the minimum bulk standard requests requiring variances.

	R-3B	Variances	Units
Lot Width	100'		
Lot Area	3,630 sf		
Front Setback	30'	25'	All
Rear Setback	30'		
Side Setback	20'		

Please see the enclosed Preliminary Site Plan page for a diagram of the proposed project with the lot layout.

Phasing

We would like to have entitlements in place as soon as possible with construction beginning immediately with the hopes we could have finished, developed lots ready for building by this Fall.

We are excited to finish the Pine Bend Development with this 2nd Addition and we look forward to working with the City as we move forward in the entitlement process.

Sincerely,

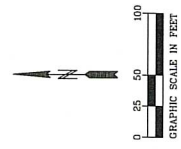
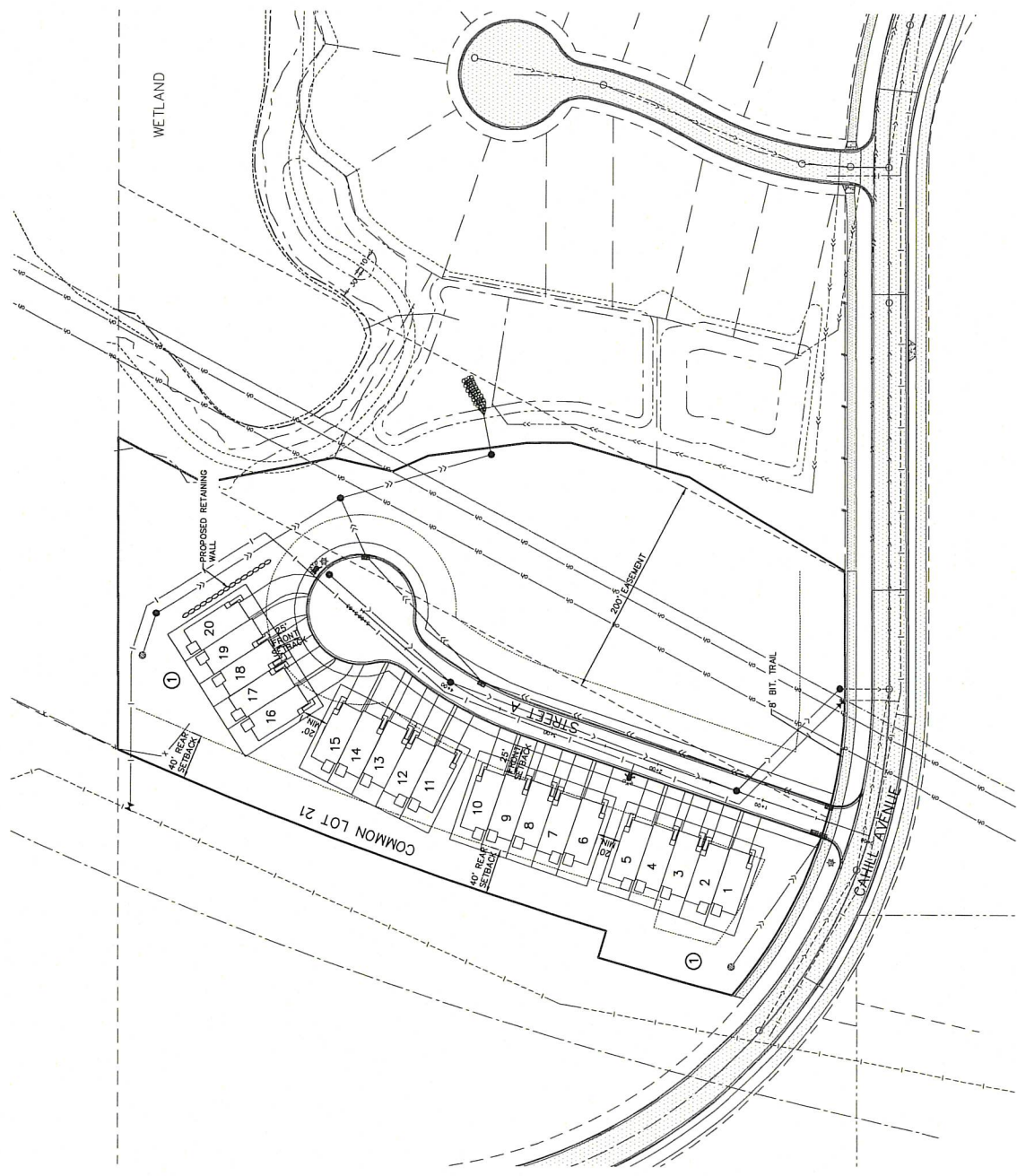
ALLIANT VENTURES III, LLC



Robert J. Machacek
Chief Operating Officer

PRELIMINARY ZONING REQUIREMENTS WITH VARIANCES:

MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	25 FEET
MINIMUM SETBACK BETWEEN BUILDINGS	20 FEET
MINIMUM SIDE STREET SETBACK	25 FEET



BENCHMARK
 TWP 400' WEST CAHILL
 1/4 SECTION 10
 TRAIL INT.
 ELEV=870.62

PIONEER engineering

235 N. PETERS - 10TH ANTONY - LUDWIGSBURG, ILLINOIS 62556
 618.881.1458
 618.881.1458
 www.pioneer-engineering.com

1. I hereby certify that this plan 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.

 Date: 2/26/2011

ALLIANT VENTURES III, LLC
 4655 E. MAIN ST. STE. 106
 EVANSTON, MN 55122

PRELIMINARY SITE PLAN

PINE BEND ESTATES
 INVER GROVE HEIGHTS, MINNESOTA

1.3 OF 15

**RE: Neighborhood Informational Meeting
Pine Bend Estates 2nd Addition
Held via Zoom on February 23, 2001
7:00 PM**

The attached provide evidence of the radius report provided by Land Title, Inc. for the mailing of meeting information to potential meeting participants along with the Zoom meeting information and a copy of the plan rendering shared with neighbors at the meeting.

Three people joined in and participated at the meeting.

There were just general questions about the project and projected timing of the construction. There were no negative comments received.

The meeting was ended at 7:25 PM.

Respectfully Submitted,

ALLIANT VENTURES III, LLC



**Robert J. Machacek
Chief Operating Officer**

Neighborhood Informational Meeting

**RE: Proposed Development
Second Phase of Pine Bend Estates
Inver Grove Heights, MN**

This letter is being sent to you informing you of a neighborhood meeting that will be **held on Tuesday, February 23, 2021 at 7:00 PM.**

The meeting's purpose will be to discuss proposed development at the above noted site.

Due to the COVID-19 health pandemic, this meeting is not available and is not open to the public.

This meeting will be held virtually and via ZOOM.

The following are the instructions for the public to join the meeting:

Zoom Meeting Info

Topic: Pine Bend Second Informational Meeting

Time: Feb 23, 2021 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95734457455?pwd=N1M0cnVOK1M4WHgxTkZ4S1FoeGhUT09>

Meeting ID: 957 3445 7455

Passcode: 2232021

Dial by your location

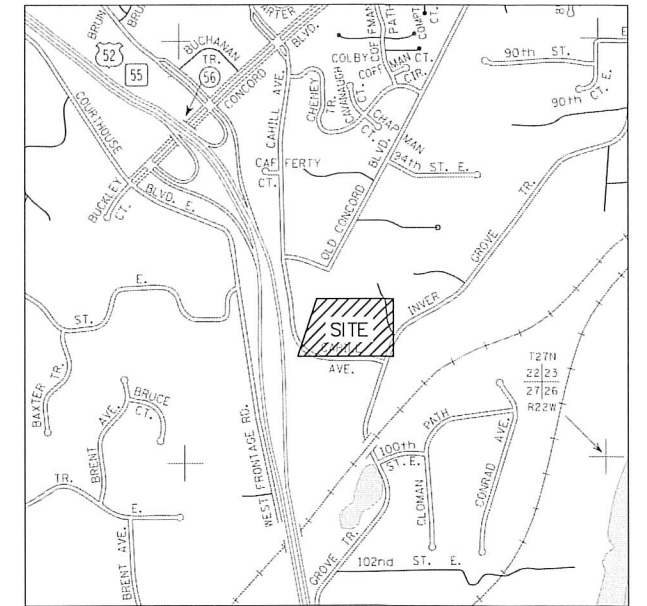
+1 312 626 6799 US

Meeting ID: 957 3445 7455

Passcode: 2232021



PINE BEND ESTATES PRELIMINARY PLAT 2ND ADDITION INVER GROVE HEIGHTS, MINNESOTA



LOCATION MAP

PRELIMINARY ZONING REQUIREMENTS WITH VARIANCES:

MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	40 FEET
MINIMUM SETBACK BETWEEN BUILDINGS	20 FEET
MINIMUM SIDE STREET SETBACK	25 FEET

LOW FLOOR = HWL+2'
LOWEST OPENING = EOF+1'
LOW FLOOR = NOF+1'

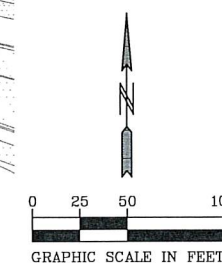
SITE DATA:

EXISTING ZONING: R-38 MULTI FAMILY RESIDENTIAL
PROPOSED ZONING: PUD
NET AREA: 5.4 ACRES
TOTAL TOWNHOME UNITS: 20
GROSS DENSITY: 3.7 UNITS PER ACRE

SHEET INDEX

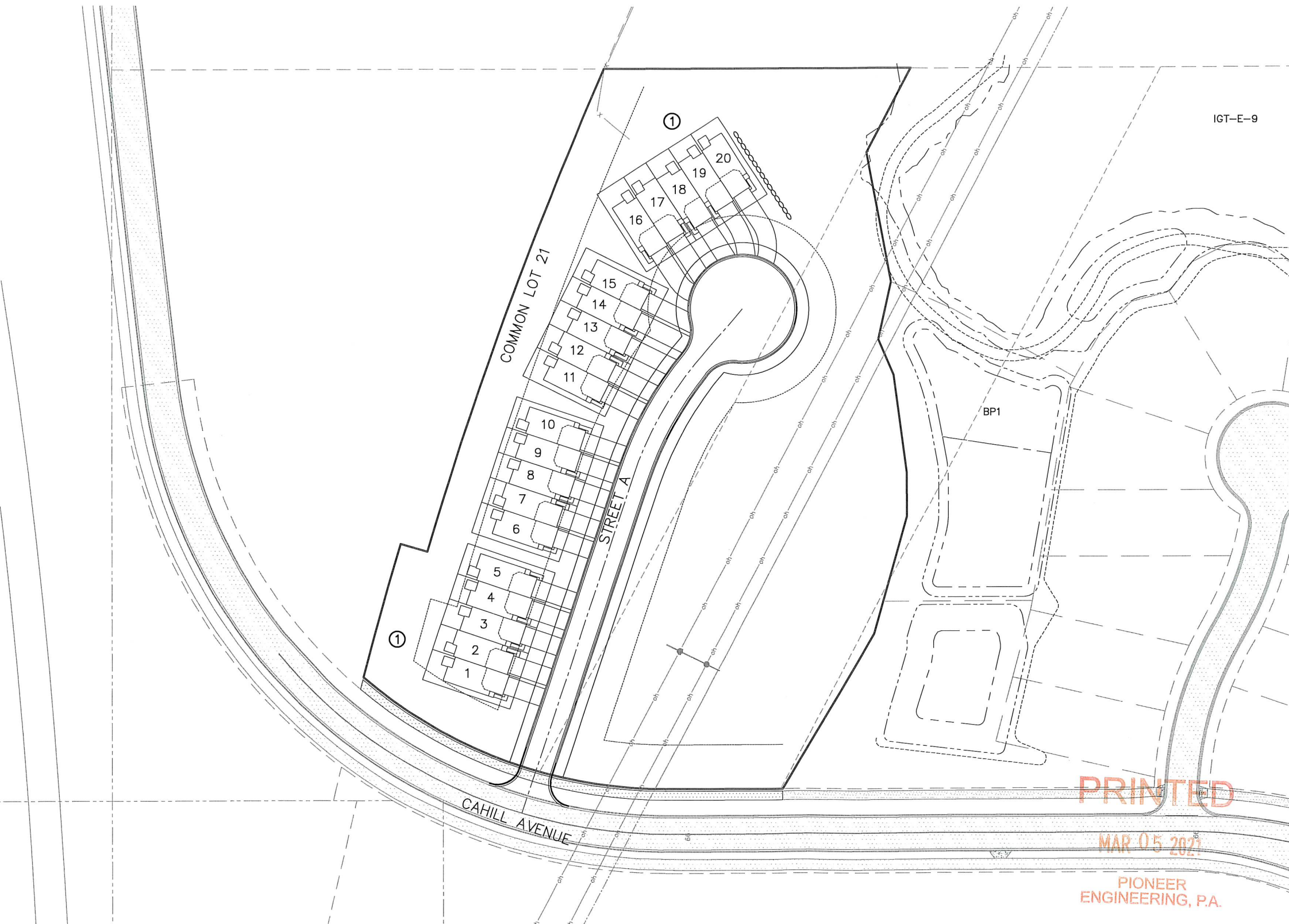
- 0.1. COVER SHEET
- 0.2. LEGEND SHEET
- 1.1. EXISTING CONDITIONS
- 1.2. PRELIMINARY PLAT
- 1.3. PRELIMINARY SITE PLAN
- 2.1. PRELIMINARY GRADING PLAN
- 2.2. PRELIMINARY EROSION CONTROL
- 2.3-2.5. PRELIMINARY GRADING DETAILS
- 3.1. PRELIMINARY SAN. & WM. PLAN
- 3.2. PRELIMINARY UTILITY PROFILES
- 4.1. PRELIMINARY STORM SEWER PLAN
- 5.1. PRELIM. STREET PLAN & PROFILES
- 6.1. PRELIMINARY 3:1 SLOPES

- L1. PRELIMINARY LANDSCAPE PLAN
- T1. TREE PRESERVATION PLAN



BENCH MARK
TNH 400' WEST CAHILL
AVE. & INVER GROVE
TRAIL INT.
ELEV=870.62

02-ENG-119050-SHEET-COVR



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Mendota Heights, MN 55120
(651) 681-1914
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www.pioneereng.com

I hereby certify that this plan 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

Name: John M. Molinaro
Reg. No.: 45831
Date: 2-26-2021

Revisions

Date: 2-26-2021
Designed: JMM
Drawn: BNM/PDS

COVER SHEET

ALLIANT VENTURES III, LLC
4655 NICHOLS ROAD, STE. 106
EAGAN, MN 55122

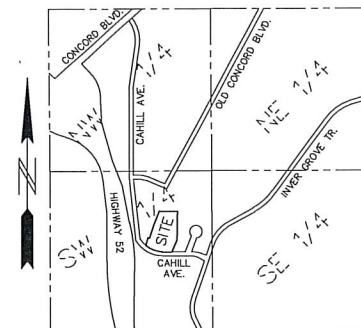
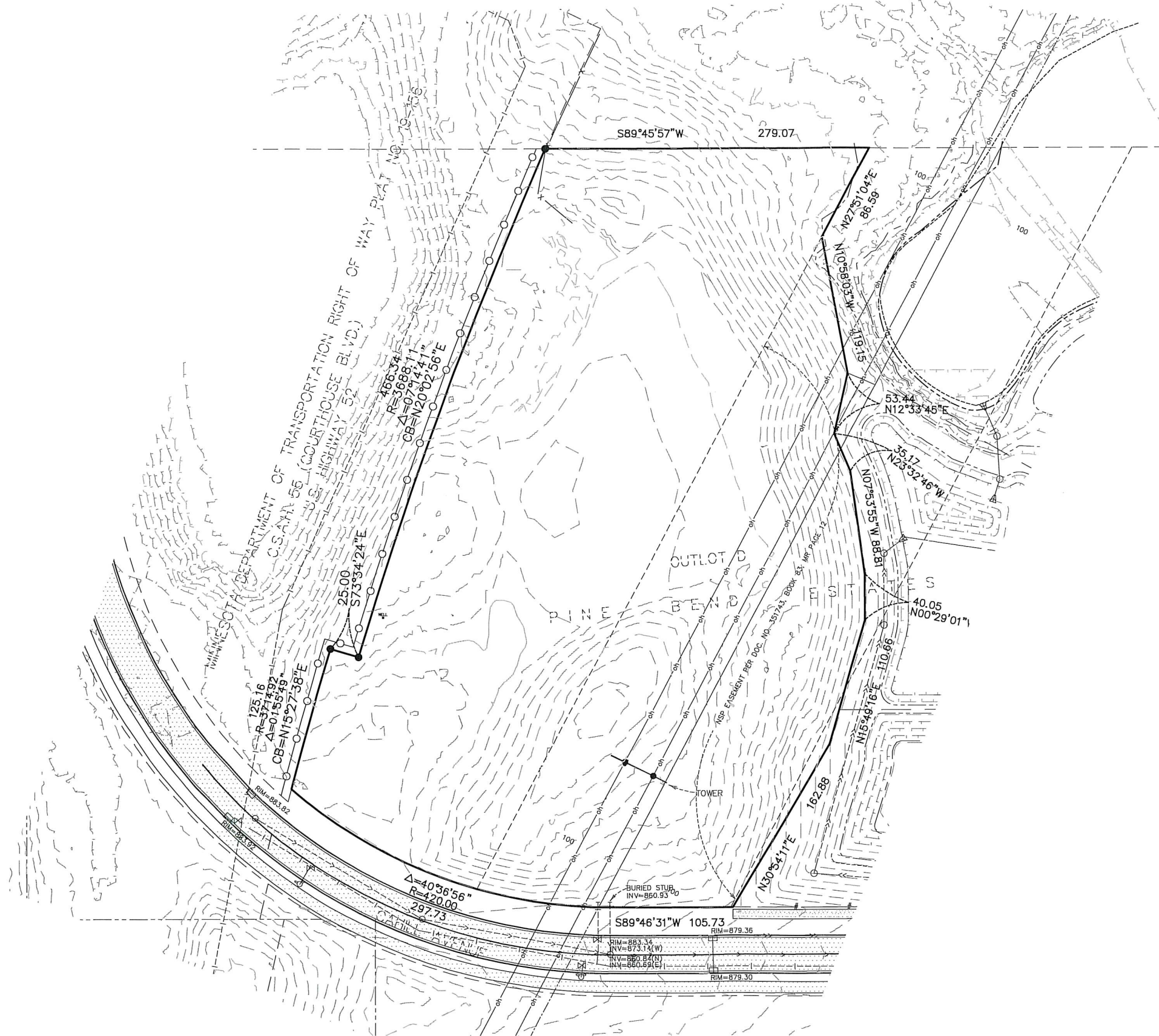
PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA

0.1 OF 15

LEGEND			
EXISTING	PROPOSED	FUTURE	DESCRIPTION
			SANITARY MANHOLE
			SANITARY SEWER (SANITARY & WATERMAIN PLANS)
			SANITARY SEWER (STORM SEWER PLANS)
			FORCE MAIN
			HYDRANT
			GATE VALVE
			REDUCER
			CURB STOP
			WATERMAIN (SANITARY & WATERMAIN PLANS)
			WATERMAIN (STORM SEWER PLANS)
			CATCH BASIN
			BEEHIVE
			STORM MANHOLE
			FLARED END SECTION
			CONTROL STRUCTURE
			STORM SEWER (SANITARY & WATERMAIN PLANS)
			STORM SEWER (STORM SEWER PLANS)
			CULVERT
			PERFORATED DRAINTILE
			SOLID DRAINTILE SERVICE
			CASING
			UNDERGROUND ELECTRIC LINE
			UNDERGROUND FIBER OPTIC LINE
			UNDERGROUND GAS PIPELINE
			UNDERGROUND PETROLEUM PIPELINE
			UNDERGROUND TELEPHONE LINES
			UNDERGROUND TELEVISION LINE
			OVERHEAD UTILITY LINES
			SURMOUNTABLE CURB & GUTTER
			B-STYLE CURB & GUTTER
			RIBBON CURB & GUTTER
			EDGE OF BITUMINOUS
			YELLOW PAVEMENT STRIPING (SINGLE/DOUBLE)
			WHITE PAVEMENT STRIPING (SINGLE/DOUBLE)
			PHASE LINE
			CENTERLINE
			2' CONTOUR LINE
			10' CONTOUR LINE
			BASIN OUTLET LINE
			BASIN HIGH WATER LINE
			PROPOSED SPOT ELEVATION
			EMERGENCY OVERFLOW
			DRAINAGE FLOW ARROW
			DELINEATED / PROPOSED WETLAND LINE
			WETLAND BUFFER
			TREE LINE
			FEMA FLOODPLAIN BOUNDARY
			RETAINING WALL
			FENCE (BARBED WIRE)
			FENCE (CHAIN LINK)
			FENCE (WOOD)
			CONSERVATION AREA SIGN
			WETLAND BUFFER SIGN
			TYPE III BARRICADE
			LIGHT POLE
			STREET SIGNS
			PEDESTRIAN RAMP
			BOUNDARY
			RIGHT OF WAY
			LOT LINE
			EASEMENT
			SET BACK LINE
			SECTION LINE
			RESTRICTED ACCESS
HATCH PATTERNS			
	GRAVEL SURFACE		WETLAND
	BITUMINOUS SURFACE		WETLAND UPLAND BUFFER
	CONCRETE SURFACE		WETLAND MITIGATION
	RIP RAP		PERMANENT TURF RESTORATION
	SELECT BACKFILL MATERIAL		PERMANENT WET BASIN SEEDING
	EROSION CONTROL BLANKET MNDOT CATEGORY PER PLAN		UPLAND/NATURAL AREA SEEDING

TOPOGRAPHIC SYMBOLS	
	CATCH BASIN
	CATCH BASIN BEEHIVE
	FLARED END SECTION
	GATE VALVE
	HYDRANT
	WATER SERVICE
	WATER WELL
	MONITORING WELL
	CLEANOUT
	HAND HOLE
	MANHOLE OTHER THAN SANITARY OR STORM
	SANITARY OR STORM MANHOLE
	LAWN SPRINKLER VALVE
	LAWN SPRINKLER HEAD
	UTILITY POLE
	TRANSFORMER BOX
	FIBER OPTIC BOX
	ELECTRIC BOX
	NATURAL GAS METER
	LIGHT POLE
	SEMAPHORE
	TELEPHONE BOX
	CABLE BOX
	CAST IRON MONUMENT
	FOUND IRON PIPE
	JUDICIAL LAND MARK
	PK NAIL
	CONTROL POINT
	SPIKE
	FLAG POLE
	TEST HOLE
	MAILBOX
	SIGN
	BOLLARD
	CONSERVATION POST
	DECIDUOUS TREE
	CONIFEROUS TREE
	SHRUB / BUSH
EROSION & SEDIMENT CONTROL	
	STANDARD EROSION CONTROL
	HEAVY-DUTY EROSION CONTROL
	SECONDARY EROSION CONTROL FENCE
	EROSION CONTROL AT BACK OF CURB
	TREE FENCE
	TEMPORARY DIVERSION DITCH
	CATCH BASIN INLET PROTECTION
	STRAW BIO ROLLS
	ROCK BERM
	SUMPED RIP RAP PERMANENT ENERGY DISSIPATER
	DISCHARGE LOCATION
	GRAVEL CONSTRUCTION ENTRANCE
	TEMPORARY OUTLET FLOATING SKIMMER
	BASIN ACCESS 8% SLOPE MAX.
	STABILIZED EMERGENCY OVERFLOW
	STEEP SLOPE 3:1 (H:V) (33.3%) OR STEEPER GRADE

ABBREVIATIONS	
A	ALGEBRAIC DIFFERENCE
B-B	BACK TO BACK
BV	BUTTERFLY VALVE
BOC	BACK OF CURB
BFE	BASE FLOOD ELEVATION
BMP	BEST MANAGEMENT PRACTICE
CL	CENTER LINE
CB	CATCHBASIN
CBMH	CATCHBASIN MANHOLE
CMP	CORRUGATED METAL PIPE
CO	CLEAN OUT
CS	CURB STOP
DIP	DUCTILE IRON PIPE
DT	DRAINTILE
EL/ELEV	ELEVATION
EX	EXISTING
FES	FLARED END SECTION
F-F	FACE TO FACE
FM	FORCEMAIN
GB	GRADE BREAK
GND	GROUND
GV	GATE VALVE
HP	HIGH POINT
HYD	HYDRANT
HWL	HIGH WATER LEVEL
INV	INVERT
K	CURVE COEFFICIENT
L	LENGTH
LF	LOWEST FLOOR
LO	LOOKOUT
LO	LOWEST OPENING
LP	LIQUID PETROLEUM
LP	LOW POINT
MH	MANHOLE
PC	POINT OF CURVATURE
PCC	POINT OF COMPOUND CURVATURE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
PRC	POINT OF REVERSE CURVATURE
PVT	POINT OF TANGENCY
PVC	POINT OF VERTICAL CURVATURE
PVC	POLYVINYL CHLORIDE PIPE
PVI	POINT OF VERTICAL INTERSECTION
R	RADIUS
R	RAMBLER
RCP	REINFORCED CONCRETE PIPE
ROW	RIGHT OF WAY
SSWR	SANITARY SEWER
STA	STATION
STRM	STORM SEWER
SWPPP	STORM WATER POLLUTION PROTECTION PLAN
TNH	TOP NUT HYDRANT
TYP	TYPICAL
WM	WATER MAIN
WO	WALKOUT
LOT INFORMATION	
(TYPICAL SECTION NOT TO SCALE)	
	BLOCK NO. LOT NO. HOUSE TYPES R — RAMBLER OR SPLIT ENTRY LO — RAMBLER LOOKOUT OR SPLIT ENTRY WALKOUT WO — RAMBLER WALKOUT SE — SPLIT ENTRY SEWO — SPLIT ENTRY WALK OUT SLO — SIDE LOOKOUT SWO — SIDE WALKOUT

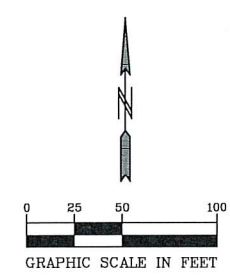


SECTION 22, TWP. 27, RGE. 22
LOCATION MAP

LEGEND

- | | | | |
|--|---|--|-----------------------------------|
| | Denotes concrete | | Denotes storm sewer line |
| | Denotes gravel | | Denotes sanitary sewer line |
| | Denotes bituminous | | Denotes water line |
| | Denotes utility pole | | Denotes overhead utility lines |
| | Denotes found iron pipe | | Denotes underground gas line |
| | Denotes restricted right of access per Minnesota department of transportation right of way plat no. 19-156. | | Denotes fence (wood) |
| | | | Denotes catch basin |
| | | | Denotes flared end section |
| | | | Denotes water well |
| | | | Denotes gate valve |
| | | | Denotes hydrant |
| | | | Denotes sanitary or storm manhole |

LEGAL DESCRIPTION FOR PRELIMINARY PURPOSES ONLY
OUTLOT D, PINE BEND ESTATES, DAKOTA COUNTY, MINNESOTA.



BENCH MARK
TNH 400' WEST CAHILL AVE. & INVER GROVE TRAIL INT.
ELEV=870.62

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Name: Peter J. Hawkinson
Reg. No. 42299 Date 2-26-2021

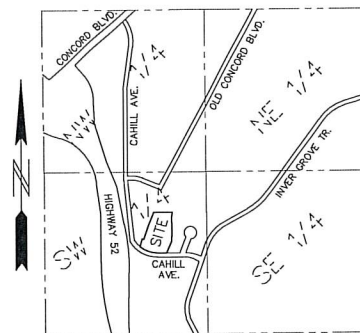
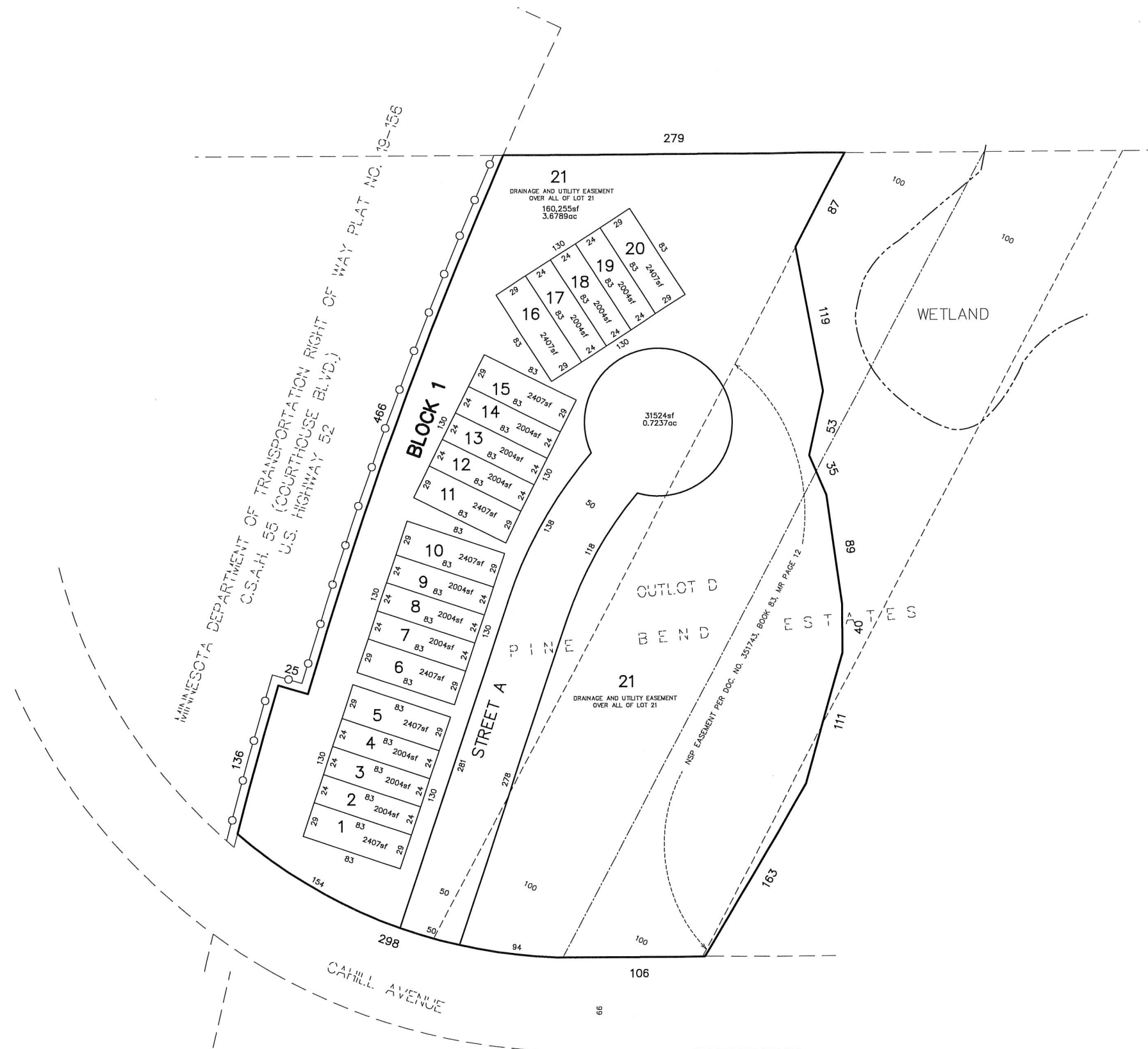
Revisions

Date: 2-26-2021
Designed: JMM
Drawn: BNM/PDS

EXISTING CONDITIONS

ALLIANT VENTURES III, LLC
4655 NICHOLS ROAD, STE. 106
EAGAN, MN 55122

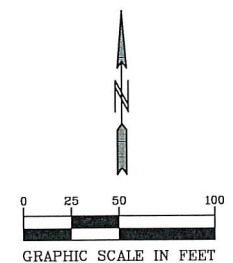
PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA



SECTION 22, TWP. 27, RGE. 22
LOCATION MAP

TOTAL GROSS AREA	5.3968	ACRES
TOTAL LOT AREA	0.9941	ACRES
NUMBER OF LOTS	20	
COMMON LOTS	1	
COMMON AREA	3.6789	ACRES
TOTAL RIGHT OF WAY AREA	0.7237	ACRES
GROSS DENSITY	3.7058	LOTS/ACRE
NET DENSITY (EXCLUDES RIGHT OF WAY)	4.2798	LOTS/ACRE

LEGAL DESCRIPTION FOR PRELIMINARY PURPOSES ONLY
OUTLOT D, PINE BEND ESTATES, DAKOTA COUNTY, MINNESOTA.



BENCH MARK
TNH 400' WEST CAHILL
AVE. & INVER GROVE
TRAIL INT.
ELEV=870.62

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Name: *[Signature]*
Reg. No. 42299 Date: 3-26-2021

Revisions

Date: 3-26-2021
Designed: JMM
Drawn: BNM/PDS

PRELIMINARY PLAT

ALLIANT VENTURES III, LLC
4655 NICHOLS ROAD, STE. 106
EAGAN, MN 55122

PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA

1.2 OF 15

PRELIMINARY ZONING REQUIREMENTS WITH VARIANCES:

MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	40 FEET
MINIMUM SETBACK BETWEEN BUILDINGS	20 FEET
MINIMUM SIDE STREET SETBACK	25 FEET

WETLAND

COMMON LOT 21

PROPOSED RETAINING WALL

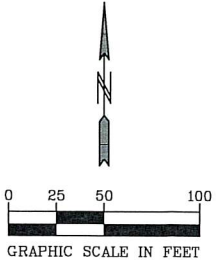
40' REAR SETBACK

25' FRONT SETBACK

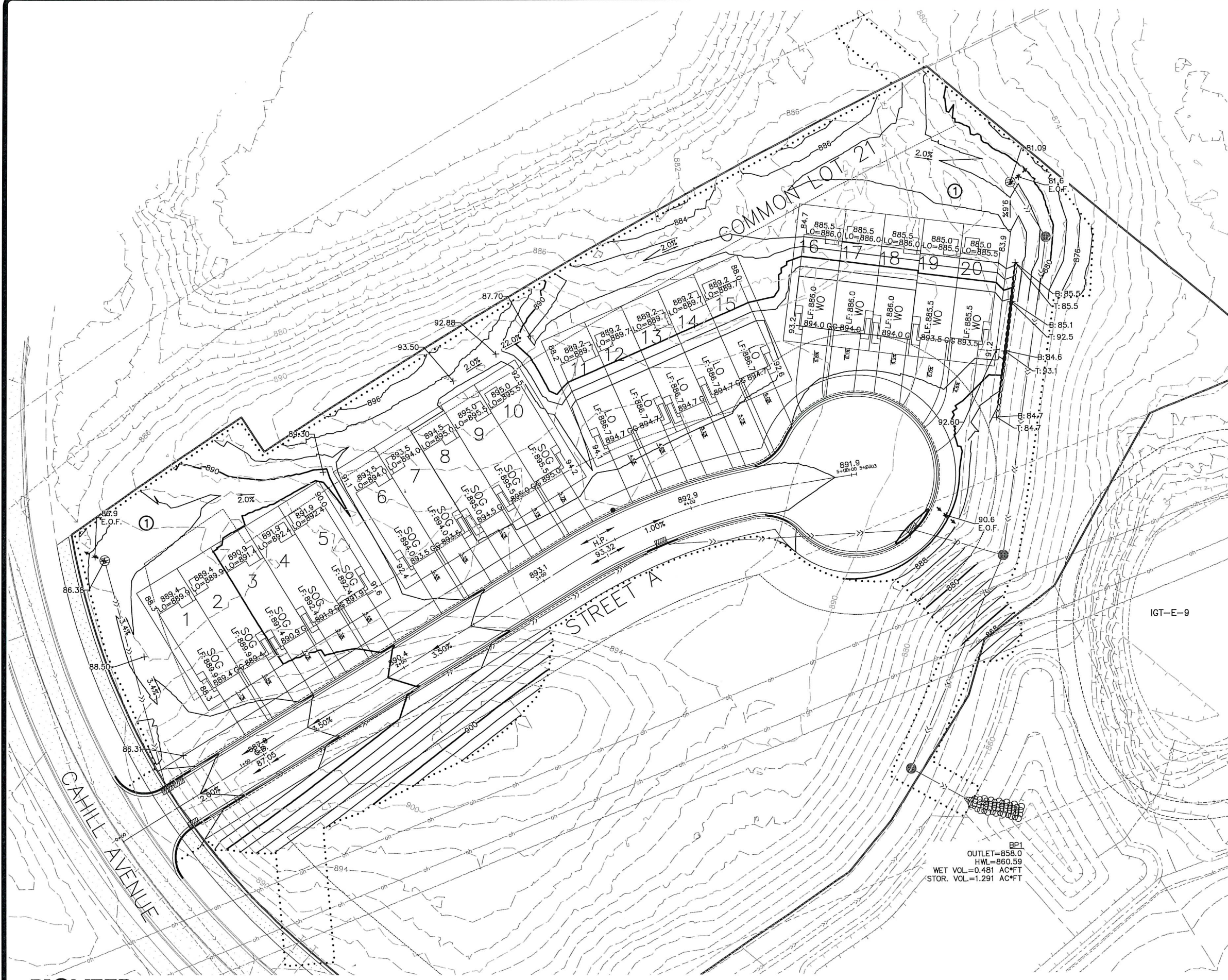
200' EASEMENT

8" BIT. TRAIL

CAHILL AVENUE



BENCH MARK
TNH 400' WEST CAHILL
AVE. & INVER GROVE
TRAIL INT.
ELEV=870.62

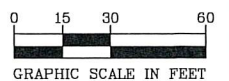


PRELIMINARY ZONING REQUIREMENTS WITH VARIANCES:

MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	40 FEET
MINIMUM SETBACK BETWEEN BUILDINGS	20 FEET
MINIMUM SIDE STREET SETBACK	25 FEET

LOW FLOOR = HWL+2'
LOWEST OPENING = EOF+1'
LOW FLOOR = NOF+1'

- TEMPORARY SEED SHALL BE DONE IN ACCORDANCE TO MNDOT 2575 & 3876; CONSISTING OF:
- MAY 1 - AUGUST 1: MINNESOTA STATE SEED MIXTURE 22-111 (OATS COVER CROP) @ 100.0 LBS. PER ACRE OR APPROVED EQUAL.
 - AUGUST 1 - OCTOBER 1: MINNESOTA STATE SEED MIXTURE 22-111 (WINTER WHEAT COVER CROP) @ 100.0 LBS. PER ACRE OR APPROVED EQUAL.
 - MULCH SHALL BE MNDOT 3882, TYPE 1 @ 2 TONS PER ACRE OR APPROVED EQUAL AND DISK ANCHORED IN PLACE OR APPROVED EQUAL, INSTALLED TO MINIMUM 90% COVERAGE OF THE SURFACE AREA DISTURBED.
 - MNDOT 3881, TYPE 1 COMMERCIAL FERTILIZER, 10-10-20 @ 200 LBS. PER ACRE.
- PERMANENT TURF RESTORATION SHALL BE DONE IN ACCORDANCE WITH MNDOT 2575 & 3876 CONSISTING OF:
- MINNESOTA STATE SEED MIXTURE 25-141 (MESIC GENERAL ROADSIDE) AT 59 POUNDS PER ACRE.
 - MULCH SHALL BE MNDOT 3882, TYPE 1 @ 2 TONS PER ACRE OR APPROVED EQUAL AND DISK ANCHORED IN PLACE OR APPROVED EQUAL, INSTALLED TO MINIMUM 90% COVERAGE OF THE SURFACE AREA DISTURBED.
 - MNDOT 3881, TYPE 3 SLOW-RELEASE FERTILIZER, 22-5-10, MINIMUM 70% WATER-INSOLUBLE NITROGEN @ 350 LBS PER ACRE.
- PERMANENT BASIN SEEDING SHALL BE DONE IN ACCORDANCE WITH MNDOT 2575 & 3876 CONSISTING OF:
- WET BASIN BENCH/(IN)FILTRATION BASIN: MINNESOTA STATE SEED MIXTURE 33-261 (STORMWATER SOUTH AND WEST) AT 35 POUNDS PER ACRE.
 - ABOVE BASIN BENCH TO HIGH WATER LEVEL: MINNESOTA STATE SEED MIXTURE 35-241 (MESIC PRAIRIE GENERAL) AT 35.5 POUNDS PER ACRE.
 - MULCH SHALL BE MNDOT 3882, TYPE 3 @ 2 TONS PER ACRE OR APPROVED EQUAL AND DISK ANCHORED IN PLACE OR APPROVED EQUAL.
 - MNDOT 3881, TYPE 4 NATURAL-BASED FERTILIZER, 18-1-8 @ 120 LBS PER ACRE OR 17-10-7 @ 150 LBS PER ACRE.
- UPLAND/NATURAL AREA SEEDING SHALL BE DONE IN ACCORDANCE TO MNDOT 2575 & 3876; CONSISTING OF:
- MINNESOTA STATE SEED MIXTURE 35-621 (DRY PRAIRIE SOUTHEAST) AT 11.0 POUNDS PER ACRE.
 - MULCH SHALL BE MNDOT 3882, TYPE 3 @ 2 TONS PER ACRE OR APPROVED EQUAL AND DISK ANCHORED IN PLACE OR APPROVED EQUAL.
 - MNDOT 3881, TYPE 4 NATURAL-BASED FERTILIZER, 18-1-8 @ 120 LBS PER ACRE OR 17-10-7 @ 150 LBS PER ACRE.



BENCH MARK
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Name: John M. Mollano
Reg. No. 45831
Date: 2-26-2021

Revisions

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PRELIMINARY GRADING PLAN

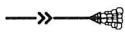
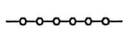
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EAGAN, MN 55122

PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA

2.1 OF 15

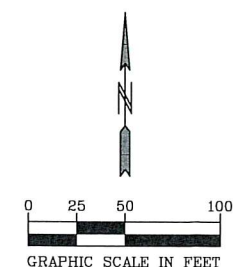


LEGEND

-  CATCH BASIN INLET PROTECTION TO BE INSTALLED AFTER 1ST LIFT OF BITUMINOUS.
-  CATCH BASIN INLET PROTECTION TO BE INSTALLED WITH CATCH BASIN GRATE.
-  SUMPED RIP RAP PERMANENT ENERGY DISSIPATER, INSTALL WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER.
-  STRAW BIO ROLLS. INSTALL WITHIN 7 DAYS OF GRADING COMPLETION OR BEFORE 1ST RAINFALL EVENT WHICHEVER IS FIRST
-  ROCK CONSTRUCTION ENTRANCE. INSTALL BEFORE START OF GRADING
-  PERIMETER EROSION CONTROL FENCE. INSTALL BEFORE START OF GRADING
-  SECONDARY EROSION CONTROL FENCE. TO BE INSTALLED 48 HOURS AFTER COMPLETION OF GRADING.
-  2' SOD OR EROSION CONTROL FENCE AT BACK OF CURB. TO BE INSTALLED AFTER COMPLETION OF SIDEWALK CONSTRUCTION.
-  MNDOT CAT 3 EROSION CONTROL BLANKET. INSTALL WITHIN 7 DAYS OF GRADING COMPLETION
-  STABILIZED EMERGENCY OVERFLOW

EROSION CONTROL NOTES

1. ENERGY DISSIPATION AT PIPE OUTLETS INSTALLED WITHIN 24 HOURS OF BEING PUT ONLINE.
2. OFFSITE INLET PROTECTION TO BE INSTALLED PRIOR TO BEGINNING CONSTRUCTION.
3. ONSITE STORM DRAIN INLET PROTECTION MUST BE INSTALLED WHEN BROUGHT ONLINE.
4. TEMPORARY STOCKPILES MUST HAVE SEDIMENT CONTROL
5. ROCK CONSTRUCTION ENTRANCE MUST BE INSTALLED AS A TRACKING BMP.
6. SILT FENCE INSTALLED CROSSING CONTOURS MUST HAVE "J" HOOKS ADDED.
7. A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) MEETING REQUIREMENTS OF THE MPCA'S NPDES GENERAL PERMIT IS REQUIRED IN THE PLAN OR AS A SEPARATE DOCUMENT.
8. TEMPORARY SEDIMENT BASINS SHALL BE CONSTRUCTED FOR AREAS THAT RECEIVE 10 ACRES OF DRAINAGE. TEMPORARY SEDIMENT BASINS SHALL BE CONSTRUCTED IN THE LOCATION OF PERMANENT BASINS. INFILTRATION/FILTRATION BASIN AREAS MAY NOT FUNCTION AS TEMPORARY BASINS. "CONSTRUCT TEMPORARY SEDIMENTATION PONDS AND NECESSARY GRADING TO DIRECT SITE RUNOFF TO THE TEMPORARY PONDING AREA."
9. SITE INSPECTIONS BY A QUALIFIED INSPECTOR ARE REQUIRED WEEKLY OR FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER.



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Name John M. Molinaro
Reg. No. 45831 Date 2-26-2021

Revisions

Date 2-26-2021
Designed JMM
Drawn BNM/PDS

**PRELIMINARY EROSION CONTROL
PLAN**

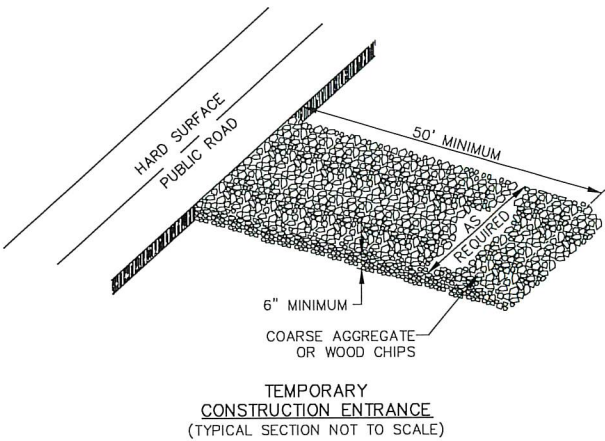
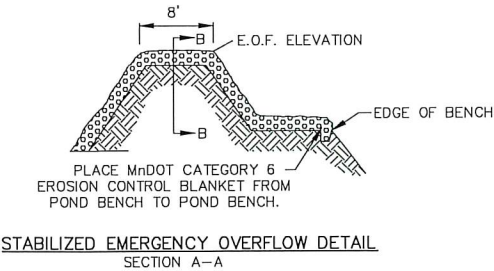
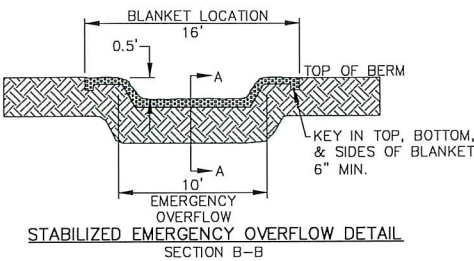
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PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA

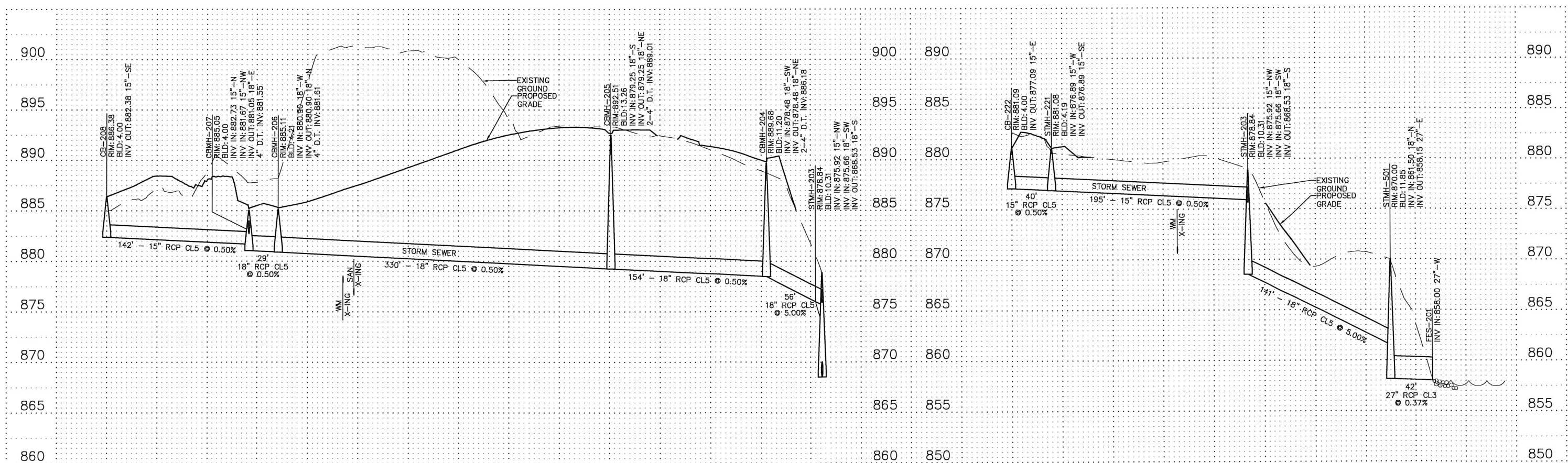
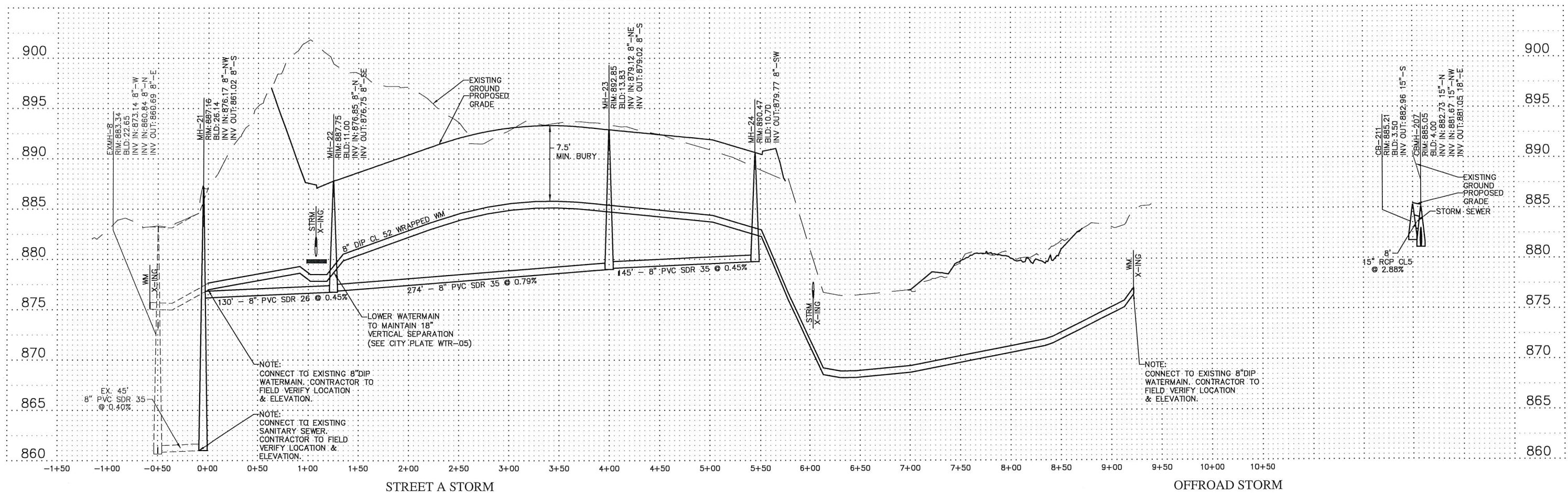
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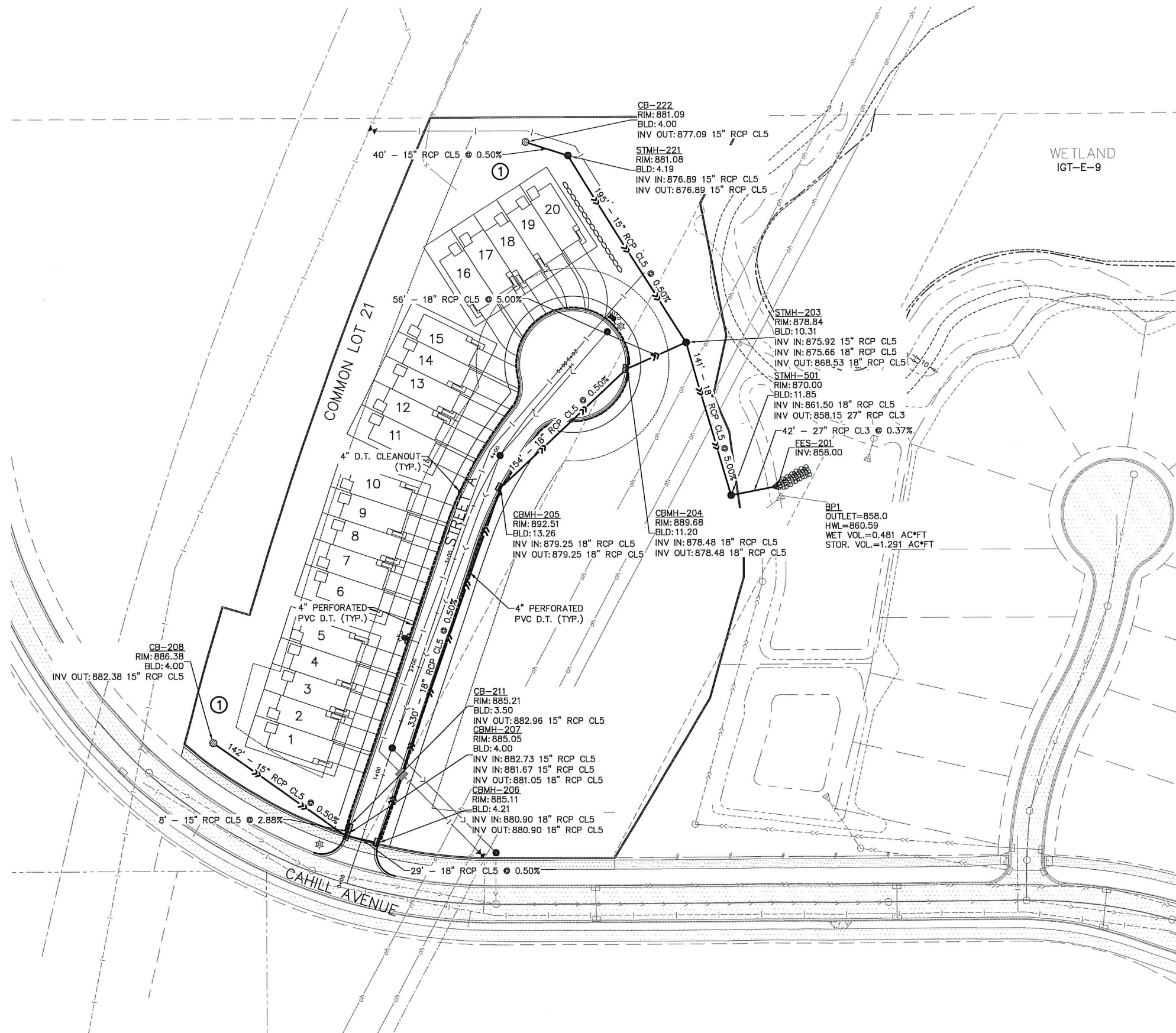
EROSION CONTROL NOTES

1. ENERGY DISSIPATION AT PIPE OUTLETS INSTALLED WITHIN 24 HOURS OF BEING PUT ONLINE.
2. OFFSITE INLET PROTECTION TO BE INSTALLED PRIOR TO BEGINNING CONSTRUCTION.
3. ONSITE STORM DRAIN INLET PROTECTION MUST BE INSTALLED WHEN BROUGHT ONLINE.
4. TEMPORARY STOCKPILES MUST HAVE SEDIMENT CONTROL.
5. ROCK CONSTRUCTION ENTRANCE MUST BE INSTALLED AS A TRACKING BMP.
6. SILT FENCE INSTALLED CROSSING CONTOURS MUST HAVE "J" HOOKS ADDED.
7. A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) MEETING REQUIREMENTS OF THE MPCA'S NPDES GENERAL PERMIT IS REQUIRED IN THE PLAN OR AS A SEPARATE DOCUMENT.
8. TEMPORARY SEDIMENT BASINS SHALL BE CONSTRUCTED FOR AREAS THAT RECEIVE 10 ACRES OF DRAINAGE. TEMPORARY SEDIMENT BASINS SHALL BE CONSTRUCTED IN THE LOCATION OF PERMANENT BASINS. INFILTRATION/FILTRATION BASIN AREAS MAY NOT FUNCTION AS TEMPORARY BASINS. "CONSTRUCT TEMPORARY SEDIMENTATION PONDS AND NECESSARY GRADING TO DIRECT SITE RUNOFF TO THE TEMPORARY PONDING AREA."
9. SITE INSPECTIONS BY A QUALIFIED INSPECTOR ARE REQUIRED WEEKLY OR FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER.



STREET A SANITARY SEWER





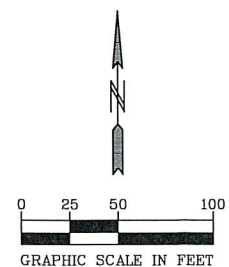
PRELIMINARY ZONING REQUIREMENTS WITH VARIANCES:

MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	40 FEET
MINIMUM SETBACK BETWEEN BUILDINGS	20 FEET
MINIMUM SIDE STREET SETBACK	25 FEET

LOW FLOOR = HWL+2'
 LOWEST OPENING = EOF+1'
 LOW FLOOR = NOF+1'

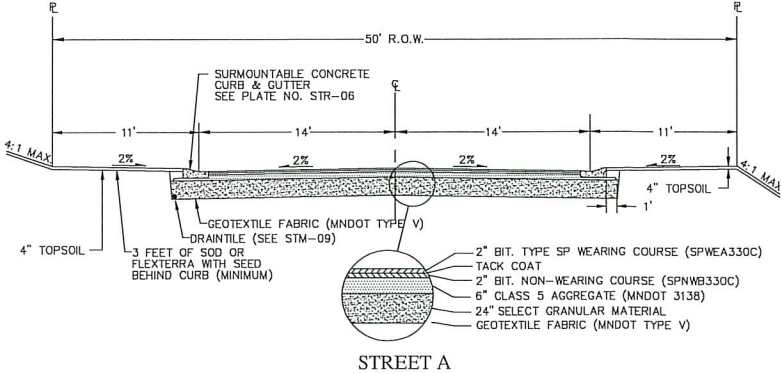
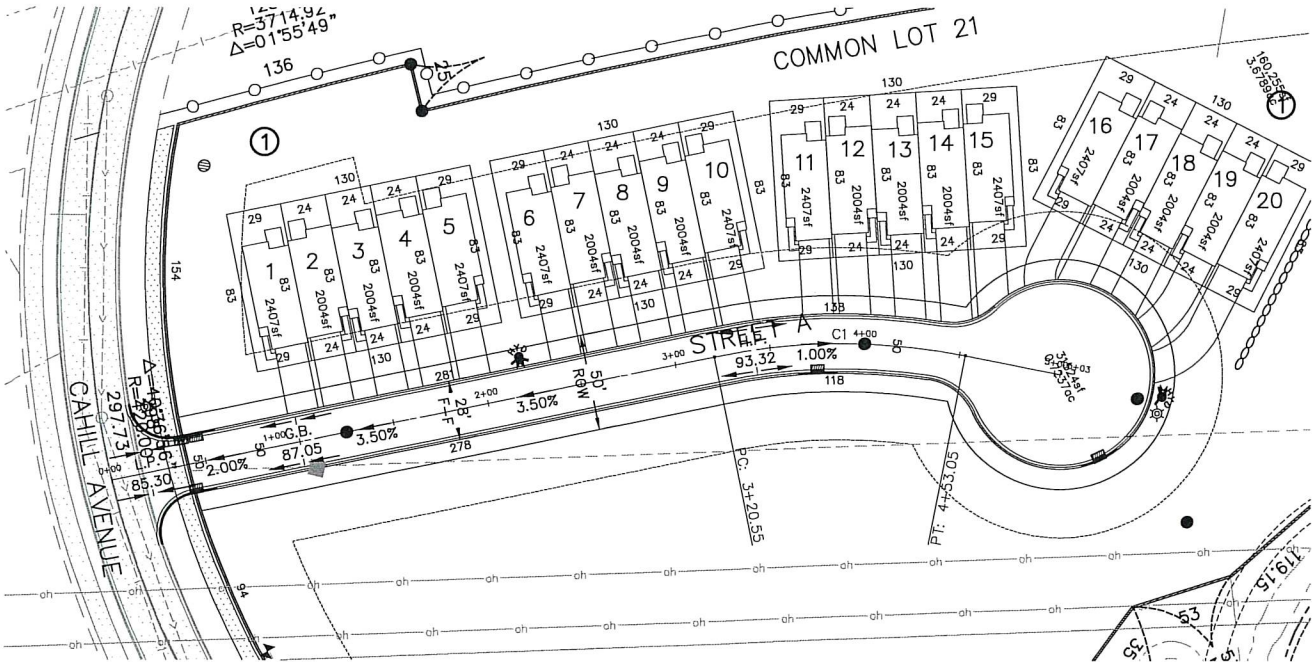
UTILITY CONSTRUCTION NOTE

- STRUCTURES IN BOULEVARDS/GREENSPACE REQUIRE FIBERGLASS FLEX STAKE MARKERS, CITY PLATE (MISC-01)

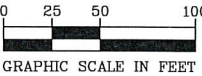


BENCH MARK
 TNH 400' WEST CAHILL
 AVE. & INVER GROVE
 TRAIL INT.
 ELEV=870.62

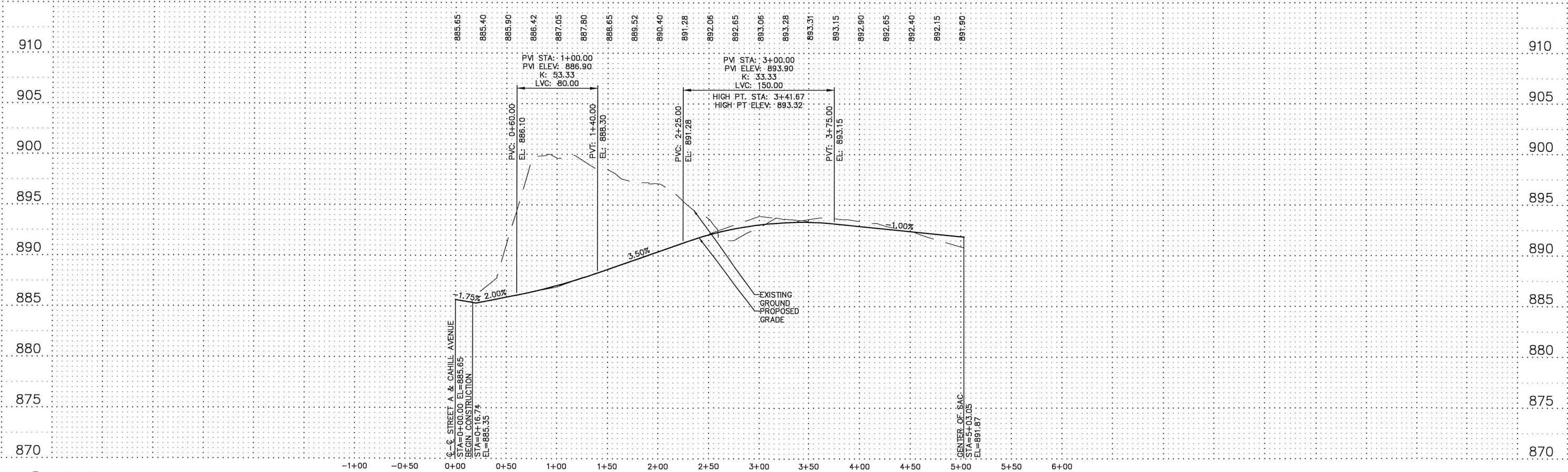
CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	PC	PT
C1	22°41'23"	132.50	334.59	67.13	3+20.55	4+53.05



STREET CONSTRUCTION NOTE
1. STREETLIGHTS REQUIRED PER CITY CODE [7-4-1]



BENCH MARK
TNH 400' WEST CAHILL
AVE. & INVER GROVE
TRAIL INT.
ELEV=870.62

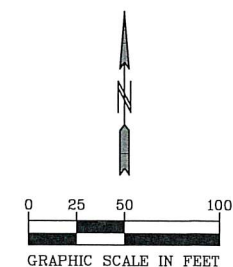




—STEEP SLOPES

STEEP SLOPES NOTE

1. 3:1 SLOPES—PROVIDE MNDOT RAPID STABILIZATION (2575-3) METHOD 3 OR 4.
 —HYDRAULIC MULCH, SEED & FERTILIZE
 —CAT.3 BLANKET, SEED & FERTILIZE



BENCH MARK
 TNH 400' WEST CAHILL
 AVE. & INVER GROVE
 TRAIL INT.
 ELEV=870.62

PIONEEREngineering

CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan 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

Name John M. Molinaro
 Reg. No. 45831 Date 2-26-2021

Revisions

Date 2-26-2021
 Designed JMM
 Drawn BNM/PDS

PRELIMINARY 3:1 SLOPES

ALLIANT VENTURES III, LLC
 4655 NICHOLS ROAD, STE. 106
 EAGAN, MN 55122

PINE BEND ESTATES
 INVER GROVE HEIGHTS, MINNESOTA

6.1 OF 15



PLANT SCHEDULE				
KEY	COMMON NAME/Scientific name	ROOT	QUANTITY	INSTRUCTIONS
OVERSTORY TREES				
	AUTUMN BLAZE MAPLE/Acer x freemanii 'Jeffersred'	2.5" B&B	5	
	RIVER BIRCH/Betula nigra 'Heritage'	8-10' B&B	5	Clump
	THORNLESS HONEYLOCUST/Gleditsia triacanthos var. inermis	2.5" B&B	5	
	NORTHERN PIN OAK/Quercus ellipsoidalis	2.5" B&B	4	
	SWAMP WHITE OAK/Quercus bicolor	2.5" B&B	5	
	SUGAR MAPLE/Acer saccharum	2.5" B&B	5	
	COMMON HACKBERRY/Celtis occidentalis	2.5" B&B	4	
EVERGREEN TREES				
	BLACK HILLS SPRUCE/Picea glauca densata	6' B&B	12	
	WHITE PINE/Pinus strobus	6' B&B	9	

LANDSCAPE NOTES:

STREET TREE REQUIREMENT: 1 TREE/40 FEET, A MINIMUM OF 1 TREE/LOT
TREES MUST BE PLANTED 5-7' INSIDE PROPERTY LINE AND NO CLOSER THAN 30' TO THE CURBLINE INTERSECTION ON CORNER LOTS.

PROPOSED UNITS: 20
MITIGATION REQUIRED: 83" (SEE SUBMITTED TREE PRESERVATION PLAN)

PROPOSED LANDSCAPE TREES: 54
20 STREET TREES
PROPOSED MITIGATION TREES:
13 2.5" OVERSTORY (32.5")
21 6' EVERGREEN (63")
TOTAL MITIGATION TREES: 34 (95.5")

LANDSCAPE NOTES

- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
- THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH COPPER STATE ONE CALL 1-800-252-1166 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
- GRADING TO BE PERFORMED BY OTHERS.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOUND IN THE AMERICAN ASSOCIATION OF NURSERYMEN-AMERICAN STANDARD FOR NURSERY STOCK.
- ALL CONTAINER MATERIAL TO BE GROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
- DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STABILITY TO A WIND SPEED OF 60 M.P.H.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE TIME REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
- IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLANT SCHEDULE.
- COMMERCIAL GRADE POLY LAWN EDGING SHALL BE INSTALLED WHERE NOTED.
- THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
- THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNSTAINED. ALL PEDESTRIAN AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WASTES SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS GOVERNING THE WORK.
- STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.

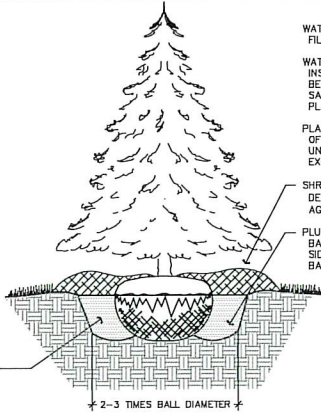
CONIFEROUS TREE PLANTING DETAIL

TRIM OUT DEAD WOOD AND WEAK AND/OR DEFORMED TWIGS. DO NOT CUT A LEADER. DO NOT PAINT CUTS.

SET PLANT ON UNDISTURBED NATIVE SOIL OR THOROUGHLY COMPACTED BACKFILL SOIL. INSTALL PLANT SO THE ROOT FLARE IS AT OR UP TO 2" ABOVE THE FINISHED GRADE.

PLACE PLANT IN PLANTING HOLE WITH BURLAP AND WIRE BASKET, (IF USED), INTACT. BACKFILL WITHIN APPROXIMATELY 12" OF THE TOP OF ROOTBALL. WATER PLANT. REMOVE TOP 1/2 OF THE BASKET OR THE TOP TWO HORIZONTAL RINGS, WHICHEVER IS GREATER. REMOVE ALL BURLAP AND NAILS FROM TOP 1/2 OF THE BALL. REMOVE ALL TWINE.

SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.



WATER TO SETTLE PLANTS AND FILL VOIDS.

WATER WITHIN TWO HOURS OF INSTALLATION. WATERING MUST BE SUFFICIENT TO THOROUGHLY SATURATE ROOT BALL AND PLANTING HOLE.

PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.

SHREDDED WOOD MULCH MIN. 3" DEEP (DO NOT PLACE MULCH AGAINST TRUNK OF TREE).

PLUMB AND BACKFILL WITH BACKFILL SOIL. BREAK DOWN SIDES OF HOLE WHEN BACKFILLING.

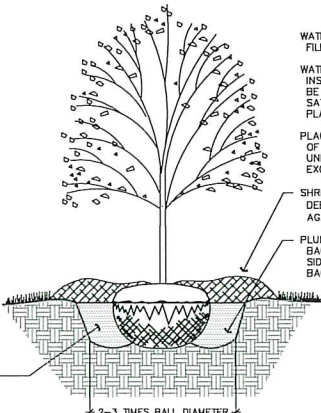
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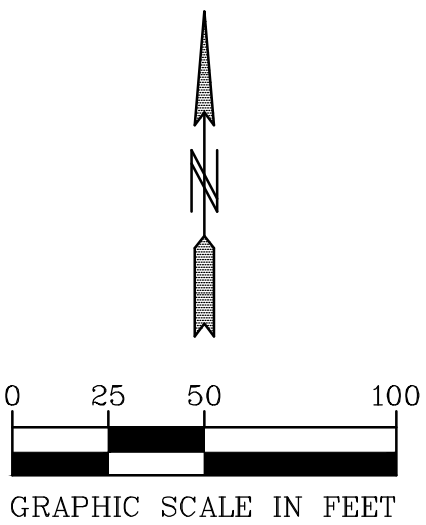
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LOT	BLOCK	Impervious(sqft)
1	1	2035
2	1	2076
3	1	2043
4	1	2076
5	1	2100
6	1	2035
7	1	2076
8	1	2043
9	1	2076
10	1	2106
11	1	2105
12	1	2163
13	1	2189
14	1	2282
15	1	2194
16	1	2251
17	1	2139
18	1	2091
19	1	2275
20	1	2568



BENCH MARK
TNH 400' WEST CAHILL
AVE. & INVER GROVE
TRAIL INT.
ELEV=870.62



March 24, 2021

To: Bob Machacek, Alliant Ventures III, LLC

From: Vernon Swing, PE

**Re: Trip Generation Study and Right Turn Lane Warrants -
Pine Bend Estates Residential Development, Inver Grove Heights, MN**

Per your request, Swing Traffic Solutions, LLC has conducted a trip generation analysis and right turn lane warrant review for the proposed Pine Bend Estates Residential Development in Inver Grove Heights, MN. The proposed development will include 20 townhome units. The site is adjacent to the north side of Cahill Avenue and is west of Inver Grove Trail. The site will include one access to and from Cahill Avenue. (See attached site plan figure.) This memorandum documents the anticipated site generated traffic and anticipated driveway distribution of the site generated traffic.

Trip Generation

The trip generation for the proposed residential development has been estimated based on the methodology described by the Institute of Transportation Engineers (ITE) in *Trip Generation*, 10th Edition. The proposed townhomes correspond to ITE Land Use Code 220. Table 1 summarizes the findings.

Table 1
Trip Generation

Land Use	Daily	AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit
Townhomes (20)	146 Trips	2 Trips	7 Trips	7 Trips	4 Trips

As shown in Table 1, the site is estimated to generate 2 entering and 7 exiting trips during the morning traffic peak, 7 entering and 4 exiting trips during the afternoon traffic peak hour.

Review of the current traffic conditions, including traffic counts conducted on regional arterial roads, as documented by MnDOT suggest traffic to the proposed development during the critical PM Peak time will be distributed to the site driveway as follows:

- **Entering the site** – 4 trips will enter from the north, and 3 trips will enter from the south.

The three right turn entering trips were tested against right turn lane warrants to determine if a dedicated right turn lane to the development is needed.



Swing Traffic Solutions

Right Turn Lane Warrants

A large study conducted by the UoM and MnDOT, published by TRB in 2011, resulted in methods for warranting right turn lanes along roadways that has been adopted by MnDOT. The warrants shown in the Table below are for turn lanes that cost approximately \$30K.

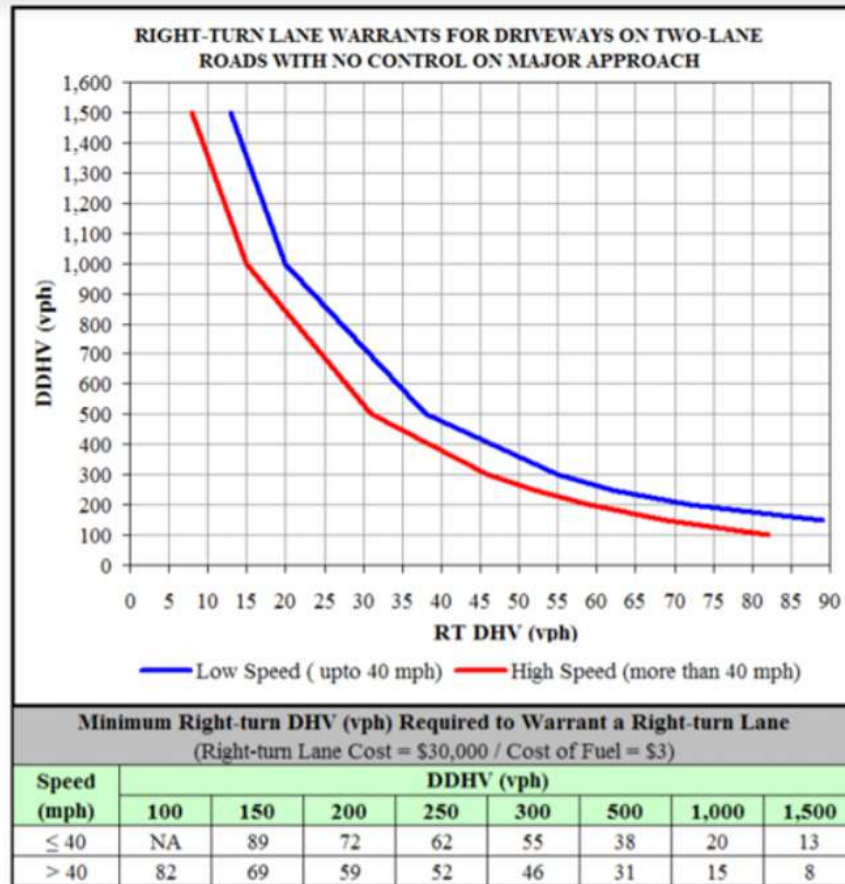


Figure 6.18. Right-turn lane warrants for driveways (fuel cost \$3/gallon, delay cost \$13/hr, right-turn lane cost \$30,000).

For Pine Bend Estates, Cahill Avenue is a 35mph road so the Blue should be used in determining warrants, conditions above the blue line satisfy warrants, conditions below do not. Current volumes (DDHV) on Cahill Avenue in the advancing direction are approximately 290 trips, and the forecast right turning traffic is 3 trips. From the graph above this is well under the Blue Line, therefore, a dedicated right turn lane is not warranted.

In conclusion, the development peak demand occurring during the AM and PM Peak traffic hours will have a negligible impact on current traffic conditions in the vicinity of the site, and the site generated traffic does not satisfy right turn lane warrant. The site will function well as proposed.

Please contact Vernon Swing at vswingtraffic@gmail.com or 612-968-4142 with any questions.



STS

Swing Traffic Solutions



Site Plan



March 24, 2021

To: Bob Machacek, Alliant Ventures III, LLC

From: Vernon Swing, PE

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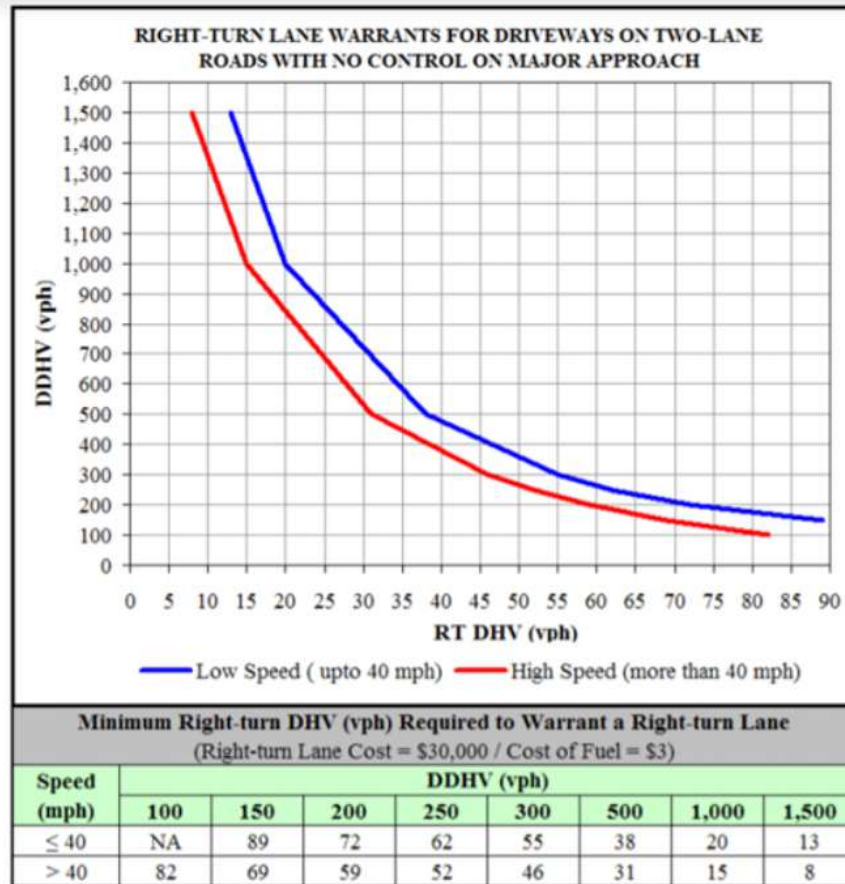


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Please contact Vernon Swing at vswingtraffic@gmail.com or 612-968-4142 with any questions.



STS

Swing Traffic Solutions



Site Plan



Swing Traffic Solutions

April 6, 2021

To: Bob Machacek, Alliant Ventures III, LLC

From: Vernon Swing, PE

**Re: Sight Distances at Driveway -
Pine Bend Estates Residential Development, Inver Grove Heights, MN**

This addendum is intended to address the site distance question raised by staff, as it was not covered in the previous memorandum authored on March 24, 2021. The sight distance measurements at accesses to residential developments are calculated two ways. For the traffic turning into a development sight distance must meet or exceed the minimums for stopping sight distance, while the sight distance for leaving a development is recommended to exceed the intersection site distance if possible but must meet the stopping sight distance on the major road. The standards from MnDOT are reproduced below.

Figure 3.24: Stopping Sight Distance ⁽¹⁾

Design Speed (mph)	Stopping Sight Distance (feet) ⁽²⁾⁽³⁾
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570
65	645
70	730
75	820

Table 4.3. Minimum Recommended Sight Distances Based on Vehicle Maneuver

Vehicle Speed (mph)	Stopping Sight Distance for Left-Turn Maneuver (feet)	Stopping Sight Distance for Crossover and Right-Turn Maneuvers (feet)
15	170	145
20	225	195
25	280	240
30	335	290
35	390	335
40	445	385
45	500	430
50	555	480
55	610	530



MnDOT also states, “When the recommended sight distance as shown cannot be met, the street connection or driveway should be located where the best possible sight distance can be achieved. Additional efforts to obtain the recommended sight distance may include the following:

- Grading the slope or clearing a sight triangle to improve the sight distance;
- Installing warning signs along the highway;
- Recommending the construction of a turn lane (See Section 3.4.9); and,
- Developing a shared driveway with an adjacent parcel at a location where adequate sight distance exists (see Section 3.4.7). (This condition cannot be required as a permit condition.)”

In the case of Pine Bend Estates, as shown on the attached Figure, the site distance approaching from the northwest, is 380 feet, while approaching from the southeast is 300 feet. The required minimum stopping sight distance of 250 feet is exceeded, so vehicle ingress to the site can be done safely. The recommended intersection site distance for the access is 390 feet looking to the northwest and 330 feet looking to the southeast, which is not met. However, since the minimum stopping site is satisfied at this location and the intersection sight distances are based on a vehicle located approximately 20 feet from the edge line, an exiting vehicle would have more visibility as it moved closer to the edge line exceeding the recommended distances. Also, clearing and grading along the property frontage, and warning signs could provide safe egress.

Please contact Vernon Swing at vswingtraffic@gmail.com or 612-968-4142 with any questions.



GRAPHIC SCALE IN FEET

0 25 50 100

BENCH MARK
TIN 4207 WEST CARILL
AVE. & RIVER GROVE
TRAIL INT.
ELEV.=870.62



PIONEER

622 Enterprise Drive
Arcadia Heights, MN 55120
(651) 481-1914
Fax: (651) 481-1918
www.purview.com

I hereby certify that this plan 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.

Name _____

Eng. No. _____ Date _____

Plante	
Designated	Project
Plante	Project

PRELIMINARY SIGHT TRIANGLES

ALLIANT VENTURES III, LLC
4655 NICHOLS ROAD, STE. 100
EAGAN, MN 55122

PINE BEND ESTATES
INVER GROVE HEIGHTS, MINNESOTA

MEMORANDUM

TO: Steve Dodge, Assistant City Engineer - City of Inver Grove Heights

FROM: Erin Jordan, PE (Lic. MN, WI, IA)

DATE: April 20, 2021

RE: Pine Bend Estates - 2nd Addition - Trip Generation & Sight Distance Memo Review
SEH No. 14.00

The City of Inver Grove Heights has requested SEH to complete a review of the following two memoranda submitted by Swing Traffic Solutions (STS) regarding the Pine Bend Estates 2nd Addition Residential Development with a proposed access on Cahill Avenue. Cahill Avenue has a posted speed limit of 35 MPH and 5,000 average annual daily traffic (AADT) volume.

- Trip Generation Study and Right Turn Lane Warrants – March 24, 2021
- Sight Distances at Driveway – April 6, 2021

The purpose of this review is to confirm the methodologies and conclusions made in the two STS memoranda or provide the City with relevant concerns or questions.

“TRIP GENERATION STUDY AND RIGHT TURN LANE WARRANTS”

Trip Generation Review

Concerns/Questions: None

Based on the most recent data published by the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition*, the proposed townhomes are expected to generate a total of 146 daily trips. Table 1 summarizes the trip generation findings. These values match the trip generation evaluation determined in STS's memo.

Table 1: Trip Generation Summary

ITE Code Land Use	Size	Average Rate Calculations						
		Daily	Weekday AM Peak Hr.			Weekday PM Peak Hr.		
		Total	Enter	Exit	Total	Enter	Exit	Total
220 Multifamily Housing (Low-Rise)	20 Dwelling Units	146	2	7	9	7	4	11

SEH confirms STS's trip generation methodology and estimated daily, AM peak hour, and PM peak hour traffic volumes associated with the proposed 20 townhomes.

Right Turn Lane Review

Concerns/Questions:

- *Confirm methodology for directional distribution for peak hour turning movements.*
- *Confirm methodology for directional design hourly volume (DDHV) on Cahill Ave.*

STS states assumptions regarding trip distribution for the new trips based on a review of “the current traffic conditions, including traffic counts conducted on regional arterial roads, as documented by MnDOT.” Although SEH was not able to confirm the specific methodology used to determine the distribution of peak hour trips into the site, the same conclusion was made which determines that a right turn lane is not warranted based on the expected traffic demands. SEH’s methodology is outlined below.

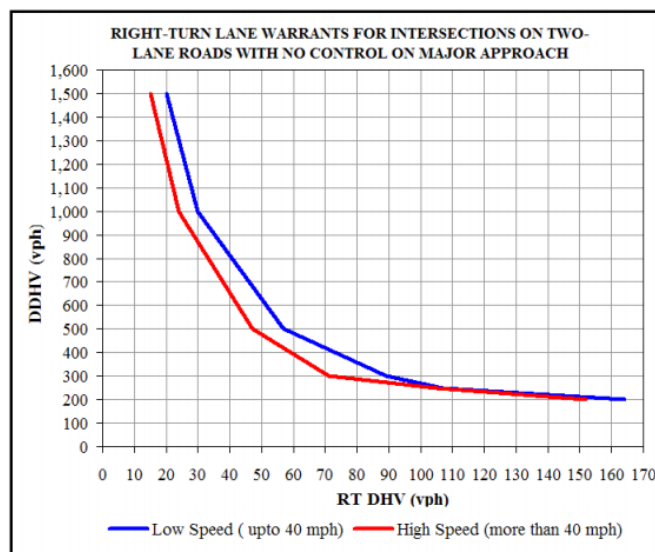
A trip distribution assumption for the new traffic into the development was determined using the most recent annual average daily traffic (AADT) volume data provided by MnDOT’s Traffic Mapping Application. Table 2 summarizes the AADT data provided on the adjacent roadways to Cahill Avenue and the estimated PM peak hour entering trip distribution based on the calculated distribution percentages.

Table 2: Estimated Trip Distribution

	Concord Blvd (from North)	Inver Grove Trail (from South)
AADT (Year)	6400 (2018)	87%
Distribution Percentage	940 (2019)	13%
PM Peak Hour Estimated Trip Distribution	6	1

As shown in Table 2, the site is estimated to generate a total of seven entering trips in the PM peak hour, with most of the traffic entering from the north. This method estimates approximately six vehicles will enter the development from the north and take a left-turn into the site; one vehicle will enter from the south and take a right-turn into the site.

In general, there is no specific guidance for Cities to review when considering the installation of right and left turn lanes along a low-speed, local road such as Cahill Avenue. There are many national and local guidelines that are available to support the evaluation of a turn lane installation. For a right-turn lane warrant evaluation on a low-speed road, the 2008 TRB Report MN/RC 2008-25, “Warrants for Right-Turn Lanes/Treatments on Two-Lane Roads,” provides a table which has been adopted by MnDOT and is referenced in the STS memo. Cahill Avenue is posted at 35 MPH, so the blue line should be referenced for evaluating the warrant criteria. The expected right-turn volume of one vehicle per hour is well below the threshold for installing a dedicated right-turn lane for the development.



The NCHRP Report 745 provides guidance based on peak hour volumes and the location of the intersection. The table below summarizes this research for a three-leg intersection.

Left Turn Lane Peak Hour Volume (vehicle / hour)	Three - Leg Intersection Major Road Volumes (Vehicles/hour/lane) That Warrants a Left-Turn Lane		
	Rural 2-Lane Highway	Rural 4-Lane Highway	Urban / Suburban
5	200	75	450
10	100	75	300
15	100	50	250
20	50	50	200
25	50	50	200
30	50	50	150
35	50	50	150
40	50	50	150
45	50	50	150
50 or More	50	50	100

Rounding up the estimated six left-turning vehicles into the development to ten, a left-turn lane would be warranted if the major road volume is at or above 300 vehicles/hour/lane. The estimated peak hour traffic demand on Cahill Avenue is approximately 10% of the AADT, or 500 vehicles per hour. Therefore, 250 vehicles/hour/lane for a two-lane road. Based on these assumptions, a left-turn lane is not warranted.

Review Summary

SEH's review of the "Trip Generation Study and Right Turn Lane Warrants" memo has confirmed the general accuracy of the methodologies and recommendations made by STS regarding the trip generation and dedicated turn-lane needs for the proposed Pine Bend Estates 2nd Addition Residential Development in Inver Grove Heights, MN. The review confirms that the estimated peak hour volumes of new trips for the development do not warrant the need for dedicated left and right-turn lanes on Cahill Ave.

SIGHT DISTANCE REVIEW

Concerns/Questions:

- *None; however, field evaluation showed longer sight distances than what was concluded by STS memo.*

SEH completed a review of the sight distance evaluation completed by STS in a memo titled "Sight Distances at Driveway." To support this review, SEH completed a site visit on April 19, 2021 to capture photo evidence of the existing sight distance conditions along Cahill Avenue on the approaches to the proposed access.

The most critical sight distance to be met for the residential development access is the stopping sight distance, which accounts for the distance that a vehicle on the main road will require to stop for an unexpected object in its path. For vehicles exiting from the stop-controlled side street approach, meeting the intersection sight distance criteria is important so that drivers can safely complete their maneuver.

The evaluation assumed the design vehicle to be a passenger vehicle and the design speed to be the 35 MPH posted speed limit since this access is not located on a state or county highway. The minimum recommended sight distances are based on AASHTO Green Book, 7th Edition and MnDOT Road Design Manual, Chapter 5. Tables 3 and 4 show the photos taken to review the stopping sight distance and intersection sight distance from the approximate location of the proposed access. The stopping sight distance photos include a red arrow that depict the approximate location of the access, showing that its location is visible from the minimum sight distance criteria.

Table 3: Stopping Sight Distance Evaluation

	Design Speed Criteria (35 MPH)	Criteria Met?
Stopping Sight Distance <i>From South</i>	 250 feet	Yes
Stopping Sight Distance <i>From North</i>	 250 feet	Yes

The site review confirms STS's conclusion that stopping sight distances are met from both approaches of the proposed access.

Table 4 shows photos taken from the approximate location of the proposed access. Photos were taken looking in each direction to simulate a vehicle taking a right or left-turn maneuver onto Cahill Avenue from the approximate location of a STOP sign.

Table 4: Intersection Sight Distance Evaluation

	Design Speed Criteria (35 MPH)	Criteria Met?
Intersection Sight Distance <i>Looking Right (to make a left-turn)</i>	 390 feet	Yes Approximate existing sight distance: 435 feet Recommendation: Minimize vegetation to maintain sight distance
Intersection Sight Distance <i>Looking Left (to make a right-turn)</i>	 335 feet	Yes Approximate existing sight distance: 410 feet Recommendation: Minimize vegetation to maintain sight distance

As noted, the photos were taken in April of 2021 when the development sites had cleared the vegetation on the north side of Cahill Avenue. With the minimal vegetation, the sight distances extended further than if trees or shrubbery were present. To maintain the safety of vehicles exiting the proposed access, SEH agrees to recommend keeping the sight line clear of vegetation. If safety presents itself as a concern once the development is constructed, additional warning signs can be considered.

Review Summary

SEH's review of the field evaluation and "Sight Distances at Driveway" memo has confirmed the general accuracy of the methodologies made by STS. However, the field evaluation provided additional insight into the existing intersection sight distances, which extend further than the evaluation conducted by STS. To maintain the minimum recommended intersection sight distance, SEH agrees with STS to minimize vegetation and monitor the roadway for any future safety concerns after construction is complete. Stopping sight distance is met from both approaches, which suggests that vehicles traveling on Cahill Avenue have enough distance to safely stop if a vehicle entered the roadway unexpectedly at the proposed intersection.

EKJ

c: Greg Anderson, PE – SEH

x:\fj\inver\157340\pine bend estates traffic review\pine bend estates - traffic review.docx

From: ddg1ii@attglobal.net
To: [Kim Fox](#)
Subject: To the Planning Commission re Pine Bend Estates case# 21-22SV
Date: Monday, April 05, 2021 2:16:01 PM

To the Members of the IGH Planning Commission:

I'm opposed to Alliant's petition for approval of Pine Bend Estates, Second Addition, Case No. 21-22SV.

We've lived adjacent to this site for over 40 years. The neighborhood is all Estate acreage, large lots with single family homes -- or it was, until the petitioner managed to get approved the First Addition -- 14 single-family homes on undersized lots built on a 9 acre parcel of which two were under the pond. This First Addition itself is entirely outside the character of the surrounding neighborhood, but that's a fait accompli now -- over and done, and sold off to a builder.

Now the petitioner wants approval for a cluster of 5-plex townhouses on a woefully inadequate outlot, sandwiched between powerline easement and MNDOT property along Hwy 52. This is even further outside the character of the neighborhood, which at least is all single- family homes.

The proposal potentially causes problems for us. We have 8.5 adjacent acres with several likely single-family homesites which will be made unsalable next to the high density project proposed. The petitioner does some fancy juggling of the density numbers, but this 2nd Addition proposal has nothing to do with the First. The First Addition puts 14 homes (approved and sold but not yet built) on 9 acres -- that's a density of 1.6 units/acre. They now propose to build 20 units on 5.5 acres! That's 3.63 units per acre, period.

Now let's focus on the plan itself. We've lived here for enough years that we and the petitioner's previous owner have dealt with the Wright Tree Service people at least 10 times, trimming the powerline easement every few years. They always insist on clear-cutting and milling 100' on either side of the powerline.

Now look at the petitioner's drawings. You will note the easement as shown on paper has been shifted significantly to the east, with about 65' on the west side of the powerline and 135' on the east, to allow

room for their proposed building sites -- which are still inadequate without additional variances!

Petitioner complains that it's a difficult lot, and he's right. But that's one reason why the original 15-acre parcel cost him only \$50,000. I see room for only 2-3 single-family homesites with access from the north, with a street and sound wall built along the MNDOT property line.

Please deny this project and rezoning request, and keep the neighborhood single-family.

Thanks for your consideration.
Dave and Bonnie Gibbens

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From: [Michelle Horsch](#)
To: [Kim Fox](#)
Subject: Rezoning
Date: Friday, April 02, 2021 3:51:44 PM

Good afternoon

Alan Hunting ask me to forward our concerns over the rezoning not sure of the address
It's at the end of Cahill before Inver grove trail.

The developers now want to put in townhomes and have them enter and exit onto Cahill, at a sharp curve. We have a lot of traffic Between the busses, truck traffic, truck student training, and parents dropping off kids and picking up kids for school.

Our concern is where they will enter and exit.

We believe that the planning department should table this and look at the area different times of the day, to understand what we are talking about.

Could they have traffic enter and exit off Old Concord

LETCH ESTATES
Michelle Horsch
10175 Cloman Path
Igh,mn 55076

Sent from my iPad

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From: [Rebecca Kiernan](#)
To: [Allan Hunting](#); [Kim Fox](#)
Subject: FW: Concern regarding location of entrance and exit for the new townhome development proposed off of Cahill and Inver Grove Trail
Date: Tuesday, April 13, 2021 8:07:47 AM

Please include in the comments for this development.

Becky

From: John Murphy <jmurphy@ighmn.gov>
Sent: Tuesday, April 13, 2021 7:25 AM
To: Rebecca Kiernan <rkiernan@ighmn.gov>
Subject: Fwd: Concern regarding location of entrance and exit for the new townhome development proposed off of Cahill and Inver Grove Trail

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From: John Murphy <jmurphy@ighmn.gov>
Sent: Monday, April 12, 2021 10:17:03 AM
To: Kathy Shroyer <KShroyer@starsvcs.com>
Subject: Re: Concern regarding location of entrance and exit for the new townhome development proposed off of Cahill and Inver Grove Trail

Kathy and Mark -

Thank you for the feedback.

Murph

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From: Kathy Shroyer <KShroyer@starsvcs.com>
Sent: Monday, April 12, 2021 9:01:02 AM
To: John Murphy <jmurphy@ighmn.gov>
Subject: Concern regarding location of entrance and exit for the new townhome development proposed off of Cahill and Inver Grove Trail

04-11-2021

INVER GROVE HEIGHTS CITY COUNSEL MEMBERS

My husband and I live at 10120 Cloman Path, Inver Grove Heights, MN. 55076. It has come to our attention that a high-density townhome development is being proposed on lot 21 off of Cahill Ave. A public notice has been given because that land will need to be rezoned.

Our concern is with the intended location of the entrance off of Cahill. The proposal shows that the street will enter/exit along a very sharp and blind curve. A dangerous blind spot will exist for traffic moving east to west along Cahill. As we have experienced every single winter that curve going both ways is subject to icy conditions that always cause vehicles to lose control or at nighttime unable to recognize the curve and end up on the grass or sidewalk. This section of Cahill road experiences high traffic volume each morning and afternoon when the elementary school is in session. In addition, a new Truck Driving school has opened on the frontage road and they use Inver Grove Trail and Cahill to practice. This does cause traffic delays as they negotiate the turn at Inver Grove Trail and Cahill. Now with the introduction of 20 townhomes with only one way in and out 40 to 50 cars will be added to the daily travel on that road. It is irresponsible to put that entrance in that location.

Alan Hunting has been made aware of this concern and has stated he does not see it as an issue. However, the city engineer is concerned. The higher cost to place the access road to the new development off of old Concord should not be deterred to public safety. If the city and the developers determine the cost of doing this safely is too high, then perhaps the development should happen at that site. Taxpayers are paying a lot for Accident Reduction Areas all over the cities and now Inver Grove Heights is contemplating creating a dangerous traffic situation where there are no exits at present. This makes no sense.

If this is not remedied lives will be put at risk. We and many of the neighbors will not hesitate to bring this to the public the moment the first accident occurs. Please prevent a sure tragedy from happening. Money over people never bodes well for anyone. But defiantly not the decision-making people when it goes bad. Those folks will be held responsible for not heeding the warnings of the danger being created.

Sincerely,

Kathy Shroyer and Mark Stangl

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Rebecca Kiernan | City Clerk

Tel: (651) 450-2513

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

rkiernan@ighmn.gov | www.ighmn.gov

From: saleko48@gmail.com
To: [Allan Hunting](#)
Cc: [Kim Fox](#); saleko48@gmail.com
Subject: Development or Zoning Request on Cahill
Date: Monday, April 05, 2021 3:23:20 PM

Mr. Hunting:

Kim Fox left me a voice mail last Friday after I left a voice mail addressing our concerns about the development and zoning request on Cahill near Inver Grove Trail. She told me to contact you and email would be preferred.

I am Shirley Leko and my husband John Leko live at 9920 Cloman Path in Leitch Estates. We have lived here for over 30 years.

First of all, as to your sign notifying the area about the zoning request, we learned of it from a neighbor and we actually had to slow down and stop our vehicle in order to see the sign. Is it possible to have the sign so that it faces traffic on Cahill? I assume your purpose is to notify people of the zoning request and I don't believe drivers can see the sign.

We also received a plat from a neighbor of the proposed new development for 20 townhomes which is platted in a very limited space that has its only access on Cahill at a curve in the road that we as drivers in the area would consider a blind spot. In addition, in that section of the road during winter when it is snow or ice covered, we have seen drivers hit the curb, go over the curb or spin around to face the opposite direction. This occurs no matter how slow the vehicle is traveling. With all of the additional traffic exiting onto Cahill with this new development, we are concerned about accidents and risk of accidents on that curve no matter the weather. In addition, there is another residential development right next door that has yet to be completed and this will also create additional traffic on Cahill that will be driving on that curve daily. Then there is the school right across the street that accesses Cahill.

We understand that every city has to expand and grow but we also have concerns about 20 additional townhomes in a very limited space on that property accessing Cahill on a curve. Do you ever consider how it fits in with the area? Aesthetically? Would the Planning Commission and City Council consider residential homes similar to the ones that will be completed nearby instead? We realize it would be less residential homes but it would seem so much more appropriate.

There are so many reasons why this zoning request and development design is concerning.

Please forward this email to all persons who are involved in the development and rezoning project.

Thank you for listening to our concerns.

Shirley and John Leko
9920 Cloman Path
Inver Grove Heights, Minnesota 55076

Shirley cell 612-414-1204
Home 651-457-6978

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**Request for Council Action****TITLE:** Builder Lot Group (Peltier Reserve)

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	
Item Type:	Regular Agenda	Amount included in current budget	
Contact:	Allan Hunting 651-450-2554	Budget amendment requested	
Prepared by:	Allan Hunting	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Consider the following requests for property located at 7250 Argenta Trail and 1266 70th Street:

1. An Ordinance to Rezone the property from A, Agricultural to PUD, Planned Unit Development.
 - Requires a 3/5th's vote.
2. A Resolution relating to a Preliminary Plat and Preliminary PUD development plan for a 126 lot single family subdivision and a 180 unit apartment building.
 - Requires a 3/5th's vote.
 - 60-day deadline: May 7, 2021 (first 60 days)

SUMMARY:

The applicant is proposing a development with a mix of single family detached densities and an apartment building component. The project would consist of a total of 126 single family lots of differing lot sizes and widths and an apartment pad with up to a 180 unit apartment building. The project provides for the extension of Alverno Avenue which is the extension of the collector street extending from the current end point in Argenta Hills up to 70th Street. Additional local streets and street stubs would be provided to link the properties between Argenta and South Robert with a connected local street network. Open space and trails are proposed throughout the project.

ANALYSIS:

Rezoning. The requested rezoning of the property would be consistent with the comprehensive plan designation densities of Mixed Use, Medium Density and Low Density Residential. The different zoning categories coincide with the different lot sizes for the neighborhoods.

Preliminary Plan and Preliminary PUD.

- The plat consists of 126 lots for the detached housing and one lot for the apartment building. Outlots in the plat are for regional basins and open space. Plan provides for the collector streets identified in the Northwest Area Plan and local streets to serve adjacent properties when they develop.
- Requesting flexibility from Northwest Area standards for; 1) setbacks between structures and corner lots, 2) increased impervious surface in the R-1C and R-3B clusters, 3) undisturbed open space.
- Applicant to address tree reforestation on final plan set.

RECOMMENDATION:

Planning Staff: Project is consistent with Northwest Area PUD standards and intent. Meets size and density based on proposed zoning. Staff would recommend approval of the rezoning and preliminary plat and preliminary PUD.

Planning Commission: Raised concerns about the need for additional parks and the density of the project. Concerns regarding small lot widths and building separation. Recommended approval of both requests (5-3).

Attachments: Rezoning Ordinance
Preliminary Plat and Preliminary PUD Resolution
Planning Report
Summary of neighborhood meeting
Traffic Study
Applicant powerpoint presentation
Resident E-mails (3)

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE
INVER GROVE HEIGHTS CITY CODE**

CASE NO. 21-12PUD
(Builder Lot Group)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described property located within the City of Inver Grove Heights from A, Agricultural to R-1C/Single Family Planned Unit Development, R-3B, Multiple Family Planned Unit Development and R-3C, Multiple Family Planned Unit Development to wit:

**All Lots within Block 8, Block 9, Block 10 to R-1C, Planned Unit Development
and
All Lots within Block 1-7, 11-14 to R-3B, Multiple Family Planned Unit
Development
and
Lot 1, Block 15, to R-3C, Multiple Family Planned Unit Development**

All within the plat of Peltier Reserve

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid

rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this 26th day of April, 2021.

Ayes:
Nays:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 21-

**A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD
DEVELOPMENT PLAN CONSISTING OF 126 SINGLE FAMILY LOTS, ONE LOT FOR 180
UNIT APARTMENT BUILDING FOR THE PLANNED DEVELOPMENT TO BE KNOWN AS
PELTIER RESERVE**

CASE NO. 22-12PUD

WHEREAS, a preliminary plat and preliminary PUD development plan application has been submitted to the City for property legally described as;

SEE EXHIBIT A

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on April 6, 2021;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat and Preliminary PUD development plan for the planned development of Peltier Reserve is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat (2 sheets)	dated 3/2/21
Site Plan (5 sheets)	dated 3/2/21
PUD Applied Standards	dated 3/8/21
Open Space Plan	dated 3/8/21
Grading Plan (5 sheets)	dated 3/2/21
Erosion Control Plan	dated 3/2/21
Utility Plans (5 sheets)	dated 3/2/21
Sanitary Profiles (4 sheets)	dated 3/2/21
Street Profiles (5 sheets)	dated 3/2/21

Tree Inventory (4 sheets)
Landscape Plan (5 sheets)

dated 3/2/21
dated 3/2/21

***The final list of approved plans and date of plans shall be identified in the development contract.**

2. Lot 1, Block 14 does not appear to provide the required 50 foot setback from the right-of-way of 70th Street. Staff recommends this lot be eliminated or lots in the area be reconfigured so a 50 foot setback can be achieved for the lot from the 70th Street right-of-way.
3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer and subject to all conditions noted by the City Engineer and consultants.
4. Drainage and utility easements shall be provided on the final plat as required by the City Engineer.
5. The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.
6. Plan approval shall be subject to the recommendations of the Park and Recreation Commission.
7. The final plan set shall be subject to the review of the city Fire Marshal.
8. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from Dakota County.
9. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
10. The developer shall be responsible to ensure the undisturbed area shown on the Open Space Plan remains undisturbed through all construction grading. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
11. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council

12. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
13. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
 - The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Acknowledgement of PUD Zoning.
14. Northwest Area plat connection fees are due at time of final plat release for each phase. The connection fees will be listed in the development contract. The Northwest Area building permit connection fees are due with building permit for each unit. Final details of the amounts to be paid shall be part of the final PUD plan review.
15. Street lighting shall be required along all public streets. The street lighting plans shall be approved by the City prior to installation.
16. City Engineer to determine the required roadway width for Alverno Avenue.
17. City Council to determine the requirements for tree reforestation via planting on site, planting on city property or a cash payment for those trees not planted on the project site. City Council to also determine if any reduction in replanting is warranted.
18. Setback and impervious surface flexibility shall be established per plan PUD Applied Standards. Reduced undisturbed open space to be consistent with Open Space Plan. Both plans referenced in list of approved plan set.
19. Approval of the Preliminary Plat subject to the developer obtaining ownership of the portion of land owned by Dakota County.

Resolution No. _____

Page 4

Passed this 26th day of April, 2021.

AYES:

NAYS:

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



PLANNING REPORT

CASE NO: 21-12PUD

APPLICANT: Builders Lot Group, LLC

PROPERTY OWNER: James Peltier

REQUEST: Rezoning, Preliminary Plat and Preliminary PUD Development Plan

HEARING DATE: April 6, 2021

LOCATION: 7250 Argenta Trail and 1266 70th Street

COMPREHENSIVE PLAN: Mixed Use, MDR, LDR

ZONING: P, Institutional

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing a development with a mix of single family detached densities and an apartment building component. The project would consist of a total of 126 single family lots of differing lot sizes and widths and an apartment pad with up to a 180 unit apartment building. The project provides for the extension of Alverno Avenue, a collector street extending from the current end point in Argenta Hills up to 70th Street. Additional local streets and street stubs would be provided to link the properties between Argenta and South Robert with a connected local street network. Open space and trails are proposed throughout the project.

REQUESTS

The specific requests for the development project include the following:

1. Rezoning of the property to R-1C/PUD Single Family Residential District, R-3B/PUD Single Family Residential District and R-3C/PUD Multiple Family Residential District.
2. Preliminary Plat approval of Peltier Reserve, consisting of 126 single family lots, one lot for a 180 unit apartment building and 13 outlots.
3. Preliminary PUD approval of the Peltier Reserve PUD as required by the Northwest Overlay District.

EVALUATION OF THE REQUEST

SURROUNDING USES

The subject property is surrounded by:

North: Large lot residential; zoned A, Agricultural; guided MDR and HDR

East: Large lot residential; zoned A; guided LDR.

West: single family homes, vacant; zoned A, Agricultural, Single family PUD; guided Mixed Use, LDR and MDR.

South: large lot residential, single family homes; zoned A and Single family PUD; guided LDR.

IDENTIFICATION OF NATURAL RESOURCES

The site contains primarily Manage 3 uplands and old fields which do not have any significant characteristics for preservation. The Resource inventory identifies a secondary greenway that follows the pipeline easement on the property. This pipeline easement area would be utilized as a open space with trail generally following the alignment.

NET DEVELOPABLE AREA

Note: the numbers that are referenced within this staff report are approximate based on preliminary plan submittals. They will likely change slightly between preliminary and final plat. The numbers provided are sufficient for preliminary plat review.

Net developable area is defined as the area of a property remaining after excluding those portions that are either: a) encumbered by right-of-way for arterials roads as defined in the IGH Comprehensive Plan; or b) lying below the ordinary high water level of public waters; or c) lying within the boundaries of delineated wetlands; or d) bluffs in shoreland areas; or e) land to be dedicated for public park needs. Based on this definition, the proposed project area contains approximately 46.15 net developable acres. The request has been sent to Dakota County for their review on right-of-way needs. There will be some additional dedication along 70th Street (Co Rd 26).

General Project Data	Acres
Gross Project Area	48.15
Delineated Wetlands	0.94
Public Water Bodies (PWI)	0.00
Bluffs in Shoreland Area	0.00
Planned "Arterial" Road Right of Way	1.06
Total Net Developable Area	46.15

NATURAL AREA/OPEN SPACE

Section 10-13J-5. D. establishes requirements for open space preservation within the Northwest Area Overlay. Based on the net developable area the project contains the following:

	Required Acres	Proposed Acres
<i>Total Net Developable Area</i>	<i>46.15</i>	<i>NA</i>
Minimum Open Space Required = 20% of net area	9.24	13.69 (29%)
Required contiguous area = 75% of required open space with a minimum 100 foot corridor width	6.93	7.24 (78%)
Area to be undisturbed = 50% of required open space	4.62	3.26 (35%)

The site design has prioritized the open space areas along the perimeters of the site including the regional basins and pipeline easement. The site complies with total open space and contiguous open space. The site is short undisturbed open space. Flexibility from this code standard is being requested by the application. The primary area left undisturbed is around the wetland central to the site and along eastern boundary at the south end of the site. The balance of the site is disturbed due to the number of roads that are required. There are a number of local street connections required to provide access to all adjacent properties. These include some predominant east-west roadway links that connect properties between Argenta and Hwy 3. Other ponding areas are required to be created or graded to accommodate the storm water system. Overall, the site provides greater open space and contiguous open space than the code minimums.

The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. The final PUD plans must show the location of the marker posts.

DEVELOPMENT CAPACITY PLAN

Section 10-13J-5. E. of the Northwest Area Overlay Ordinance outlines a process by which a site's development capacity is determined as a means to allocate development across a site. This exercise only determines the number of units that would be permissible on the site and not the actual proposed development.

The development capacity plan was established for the proposed project utilizing the base zoning district of R-1C, R-3B and R-3C. When applying the base district and factoring in the open space as part of the R-1C district, the development capacity plan yields a range of 73 to 133 possible units. This equates to a density range of 2.0 to 3.6 units per net acre. When applying the base district and factoring in the open space as part of the R-3B district, the development capacity plan yields a range of 56 to 84 possible units. This equates to a density range of 8.0 to 12.0 units per net acre. When applying the base district and factoring in the open space as part of the R-3C district, the development capacity plan yields a range of 56 to 102 possible units. This equates to a density range of 12.0 to 21.8 units per net acre.

Base Zoning District	Net Acres*	Min Density (units per acre)	Max Density (based on lot size per zoning code)	Min Units	Max Units
R-1C	36.5	2	12,000	73	133
R-3B	6.99	8	3,630		92
R-3C	4.66	12	2,000	56	102

The proposed net density for the R-1C district would be 1.9 units/acre, the proposed density for the R-3B district would be 7.44 units/acre and the proposed net density for the R-3C district would be 38 units/acre.

PROPOSED DEVELOPMENT MAGNITUDE, DENSITY AND BULK STANDARDS

Building setbacks and separation.

The proposed setbacks for the project are listed on the plan sheet PUD Applied Standards (Sheet C3.05).

Units within the proposed development comply with the required setbacks, except for the following situations listed below:

- Building separation.
Lots up to 60 feet wide – 5 foot side yard (10 foot separation)
Lots at 65 feet wide – 7.5 foot side yard (15 foot separation)
- Street corner lot setback to 15 feet.

Impervious surface coverage.

Impervious surface coverage standards are applied to give the city the authority to ensure sufficient areas for infiltration.

The applicant has provided impervious surface calculations for the entire project.

Impervious Surface	Maximum Allowed	Proposed
R-1C	25%	45-55%
R-3B	55%	55.0%
R-3C	65%	42.0%

The smaller lot single family would generate more impervious surface than allowed, but the medium density would meet standards and apartment building would be below standards. The overall stormwater management plan is designed to account for the amount of impervious surface proposed.

PRELIMINARY PLAT

The applicant is proposing a preliminary plat which consists of 126 single family lots, , one lot for the apartment building and 13 outlots. The outlots would be for open space and storm water management. There are 52 lots with lot sizes ranging from 4,499 to 13,000 square feet and widths from 36-38 feet. There are 36 lots with lot sizes ranging from 4,850 to 6,500 square feet and widths from 50-52 feet. There are 16 lots with lot sizes ranging from 5,500 to 7,500 square feet and widths of 60 feet. There are 20 lots with lot sizes ranging from 8,000 to 10,000 square feet and widths of 65 feet. The existing homestead would remain and be on Lot 3, Block 10.

A portion of the plat encompasses land that is still owned by Dakota County. This the area generally on Lots 9-13, Block 4. Ownership of this land will have to be transferred to the developer prior to approval of the final plat. The preliminary plat must be condition upon developer acquiring the land from the County.

Lot 1, Block 14 is located very close to 70th Street. The County will be upgrading 70th Street in the next couple of years and traffic volumes are expected to continue to increase. The proposed setback from the county right-of-way is only 25 feet whereas 50 feet is required. Since the required setback cannot be obtained on the lot as proposed, staff recommends this lot be eliminated or lots in the area be reconfigured so a 50 foot setback can be achieved for the lot from the 70th Street right-of-way.

The plat has been sent to Dakota County for their review on right-of-way needs. The County reviewed the plat on a concept plan level and commented on the access location at 70th, future needs for possible full access at 72nd, and the location of the trail segment leading to the county trail along Argenta Avenue. The County will make further comment after these items have been addressed by the applicant. In any case, a standard condition of approval is the plat is subject to review and approval by Dakota County.

PARKS/TRAILS

The site plan identifies sidewalk and trail along both sides the collector street as required by the Northwest Ordinance. There are trail segments proposed in the development along the pipeline easement and segments for future trails leading to surrounding properties.

There is a trail segment along the pipeline that would connect to the trail along Argenta Trail. This segment is being looked at as a possible mid-block connection for the city park being planned on the west side of Argenta. Staff is working with the city's consultant working on the park, the applicant, and Dakota County to design the trail so it would be at the most advantageous place for a trail crossing point. Final design would be approved with the final plat and plans.

STREETS & CONNECTIVITY

The project is designed with an extension of Alverno Avenue from its current end point in Argenta Hills through the project and up to 70th Street. Alverno is a collector street shown on the city's Northwest Area Collector Street Study. There would be a connection point at 72nd Street and Argenta Trail. This is currently designed as a three-way interchange. Since the planned alignment of 72nd Street heading east is off the property in question, the applicant is proposing a temporary roadway between lots 5 and 7 block 7. This will provide a second access point until land develops around the site and the other local streets can be connected.

WSB reviewed the street plans for the city to determine compliance with the 2012 Collector Street Study. WSB found the plans to be consistent except noted Alverno as a collector does not need to be a 44 foot wide road but could function with a 36 foot wide road. The determination on the needed roadway width to be determined by the City Engineer.

The streets and right-of-way comply with city standards and the local streets provide a sidewalk on one side as required.

PARKING

The development is proposed with 28 foot wide public streets that allow parking on one side. The lots in the R-1C neighborhoods would have space for 2 off-street parking. The narrow lots in the R-3B neighborhood would provide for one off-street parking space. The apartment building would provide underground or garage parking and surface parking.

DAKOTA COUNT REVIEW

As stated earlier, the plat has been reviewed by Dakota County and they provided comment on the access points to the county roads and the trail location. The plat is subject to the review and approval of Dakota County.

LANDSCAPING/TREE PRESERVATION

Tree Preservation Plan:

The developer has provided a tree inventory of the site. The Code allows a tree removal of 40% for higher density and 30% for lower density. The code allows removal beyond the threshold and requires replacement for those trees over the limit. Tree removal threshold would exceed 40%, thus reforestation is required. In this case, a total of 4,515 caliper inches or 1,807 trees are required to be replanted.

The applicant has identified that based on the amount of grading and tree removal for the whole project including the collector street, storm ponding and grading for the access points at 70th and 72nd, the applicant is requesting some relief from the reforestation requirements because replanting the amount required would not be feasible after development. The plan at this point does not show any of the reforestation replating. The project narrative identifies a request for relief to include:

- Type A tree replacement at 25% instead of required 50%.
- Type B tree replacement at 50% instead of required 100%.

- A Significant Tree be a minimum caliper inch of 12 instead of 8.
- Exempt tree removal for storm water management basins.
- Exempt tree removal for the larger right-of-way and street for Alverno.
- Exempt tree removal for the excavation required for the proposed county road improvements and access at 72nd Street.
-

The code provides clarification on how the reforestation is to be planted.

“Required replacement trees shall be planted on the site being developed in areas such as yard setbacks and outlots. These trees shall be planted based on the frequency and density as determined by the city. Unless found otherwise, at least seventy five percent (75%), but in no case less than forty five percent (45%), of the required tree placement shall occur on the site being developed. Should the development not have sufficient room on the site to allow for all required reforestation, the balance may, at the city council's discretion, either be: 1) planted upon public property in locations approved by the city; or 2) a cash payment to the city in an amount equivalent to the cost of the plantings, said payment to be used by the city for future plantings on public property.”

The code would require that at least 813 trees be replanted on site and the balance be planted on public property or a cash payment in lieu of at the council's discretion.

Since the tree protection regulations are in the zoning code and part of the Northwest Area Overlay District, a request to deviate cannot be process as part of a PUD flexibility request, but rather must be as variance from the standard. What to do with the request and how to replant the required trees is a discussion that should be conducted further with Planning Commission and City Council.

Landscape Plan:

Standard landscaping requirements include providing street trees for the project and plantings per unit for the apartment building. The plans identify a total 124 street trees are required and the plans provide for 147 trees. The apartment complex would require a total of an equivalent of 180 trees based on the size of the building shown. Half of the requirement for the apartment building must be overstory trees, the other half can be in ornamental or shrubs. The plans identify 54 trees shown for the apartment building. The final plan set must meet the required tree planting for the apartment building.

WETLANDS

The preliminary plans identify 3 wetlands on the site. Wetlands 1 and 3 are jurisdictional wetlands but no impact is proposed. Wetland 2 was determined to be an aesthetic feature constructed upland and considered non-jurisdictional under the Wetland Conservation Act.

GRADING, DRAINAGE, STORMWATER AND UTILITIES

Engineering has reviewed the plans and has also sent to other city consultants for review. The final plan set shall be consistent with comments made by WSB, Bolton & Menk and EOR. The

City Engineer prepared a memo dated March 9, 2021 with the requirements and comments to be part of the final plan review.

FIRE MARSHAL REVIEW

The Fire Marshal has reviewed the plans and does not have an issue with the plans or street network. The site does have two ways in and out with the temporary connection to from 72nd Street to Argenta Trail.

NORTHWEST AREA TRUNK UTILITY CHARGES

To fund the utility improvements in the Northwest Area, the Council adopted a funding resource of collecting connection fees at time of development rather than assess properties. To cover the cost of the sewer, water and storm water improvements, there are connection fees paid at time of final plat and connection fees paid at time of building permit. Plat connection fees are due at time of final plat release for each phase. A breakdown of the fees will be listed in the development contract. The building permit connection fees are due with building permit for each unit.

DEVELOPMENT CONTRACT

The Developer and Owner shall enter into a Development Contract and other associated agreements with the City. The list of agreements and details of the contract will be discussed with the applicant, city attorney and staff as part of the final PUD review. All of the agreements will be approved by the City Council as part of the final PUD review.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

A. Approval: If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:

- o Approval of the Preliminary Plat, Preliminary PUD and Rezoning subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat (2 sheets)	dated 3/2/21
Site Plan (5 sheets)	dated 3/2/21
PUD Applied Standards	dated 3/8/21
Open Space Plan	dated 3/8/21
Grading Plan (5 sheets)	dated 3/2/21
Erosion Control Plan	dated 3/2/21
Utility Plans (5 sheets)	dated 3/2/21
Sanitary Profiles (4 sheets)	dated 3/2/21
Street Profiles (5 sheets)	dated 3/2/21
Tree Inventory (4 sheets)	dated 3/2/21

Landscape Plan (5 sheets)

dated 3/2/21

***The final list of approved plans and date of plans shall be identified in the development contract.**

2. Lot 1, Block 14 does not appear to provide the required 50 foot setback from the right-of-way of 70th Street. Staff recommends this lot be eliminated or lots in the area be reconfigured so a 50 foot setback can be achieved for the lot from the 70th Street right-of-way.
3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer and subject to all conditions noted by the City Engineer and consultants.
4. Drainage and utility easements shall be provided on the final plat as required by the City Engineer.
5. The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.
6. Plan approval shall be subject to the recommendations of the Park and Recreation Commission.
7. The final plan set shall be subject to the review of the city Fire Marshal.
8. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from Dakota County.
9. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
10. The developer shall be responsible to ensure the undisturbed area shown on the Open Space Plan remains undisturbed through all construction grading. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
11. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council

12. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
13. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
- The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Acknowledgement of PUD Zoning.
14. Northwest Area plat connection fees are due at time of final plat release for each phase. The connection fees will be listed in the development contract. The Northwest Area building permit connection fees are due with building permit for each unit. Final details of the amounts to be paid shall be part of the final PUD plan review.
15. Street lighting shall be required along all public streets. The street lighting plans shall be approved by the City prior to installation.
16. City Engineer to determine the required roadway width for Alverno Avenue.
17. City Council to determine the requirements for tree reforestation via planting on site, planting on city property or a cash payment for those trees not planted on the project site. City Council to also determine if any reduction in replanting is warranted.
18. Setback and impervious surface flexibility shall be established per plan PUD Applied Standards. Reduced undisturbed open space to be consistent with Open Space Plan. Both plans referenced in list of approved plan set.
19. Approval of the Preliminary Plat subject to the developer obtaining ownership of the portion of land owned by Dakota County.

- B. Denial:** Should the proposed request or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

The project complies with nearly all performance standards of the Northwest Area. Flexibility requests have been made for building separation, setbacks, impervious surface and undisturbed open space. Staff supports these requests.

Staff would recommend approval of the requests as presented with the conditions listed. Further discussion regarding tree reforestation should occur with Planning Commission discussion.

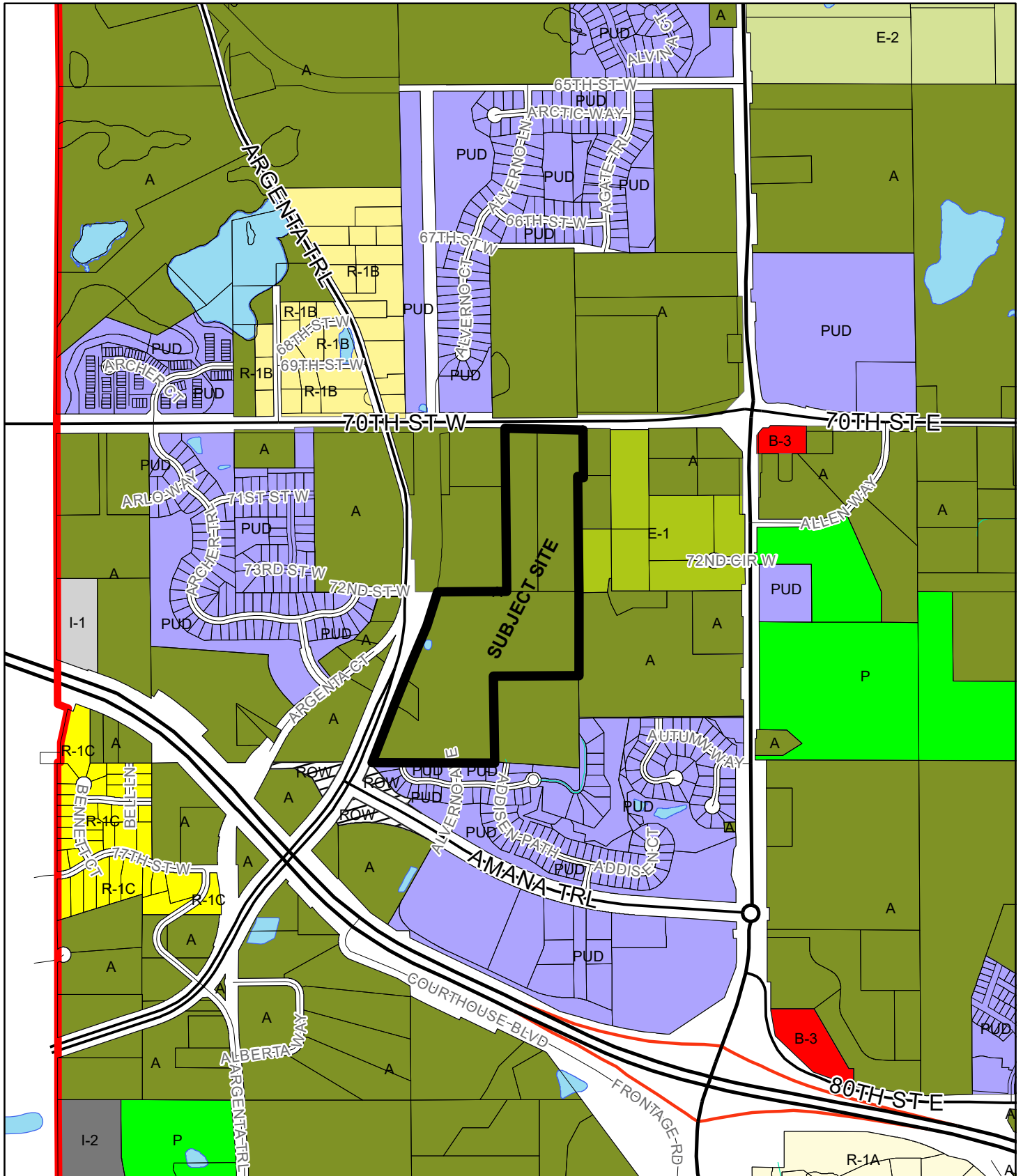
Attachments:

Location Map
Applicant Narrative
Preliminary Plat (2 sheets)
Site Plan (5 sheets)
PUD Applied Standards and Open Space Plan
Grading Plan (5 sheets)
Erosion Control Plan
Utility Plans (5 sheets)
Tree Inventory (4 sheets)
Landscape Plan (4 sheets)
Resident e-mail



Location Map

Case No. 21-12PUD





9531 West 78th Street, Suite 135
Eden Prairie, MN 55433

NARRATIVE FOR PELTIER RESERVE P.U.D. APPLICATION

SITE INFORMATION AND OWNERSHIP

Current Owner: James Peltier
Property Address: 7250 Argenta Trail, Inver Grove Heights, MN 55077
Property IDs: 20-00700-06-014, 20-00700-05-012, 20-00700-04-010

DEVELOPMENT TEAM

Applicant & Developer: Builders Lot Group, LLC., Melvin Moore, Steven Soltau, Dwayne Sikich
Single-Family Builders: To be Determined.
Multifamily: Oppidan Investment Company, Ian Halker
Civil Engineer: Sambatek Inc., Eric Luth

PURPOSE AND INTENT

Builders Lot Group, LLC is pleased to present to the City of Inver Grove Heights its proposal for the development of land currently owned by James Peltier. The Peltier Reserve development proposes to apply the Planned Unit Development (PUD) District as a progressive, mixed-density residential neighborhood on a 47-acre site located and located south of 70th Street, east of Argenta Trail and northerly of Argenta Hills neighborhood. This PUD, which is intended to adhere as much feasible with the City of Inver Grove Heights - Northwest Area Overlay District Ordinance, is composed of One Hundred Twenty-Four (124) single family lots, and a multi-family component adjacent to 70th Street, with approximately 180 market rate, rental units. The neighborhood will be accessed through the extension of Alverno Avenue extending from Argenta Hills at the south end to 70th Street at the north end of the development. There will also be access off Argenta Trail (Co. Rd. 63) at the proposed 72nd Street connection, east and west are future connections also provided for according to the NW Area Collector Street Report.

This PUD encourages a more creative approach to development, with goals of providing a more aesthetic and desirable balance of flexibility of the typical site design requirements, a wide variety residential product types and integration of green spaces. As well as, being pedestrian-friendly with oriented circulation, utilizing the site's unique topography, and maximizing the potential of the unique home sites grading, creating an environmentally sustainable designed neighborhood.

As conveyed on the Site Plan this proposal contains a significant natural areas and green spaces which will be maintained by an association created to manage those assets. The single-family portions of the proposal will contain both low and medium density areas to comply with zoning and the NW Area Overlay District requirements. One of the goals of the project is to provide variety of additional housing options in Inver Grove Heights, at varying price points. The proposal requires rezoning of the property and approval of a PUD as part of the Northwest Area Overlay District.

Construction partners for the single-family homes will offer a range of homes from approximately 2,200 Sq.Ft. to over 4,000 Sq.Ft. with multiple elevations and floor plans. The development offers distinctive neighborhood clusters with a variety of housing types with options including single-level,

multi-level, and two-story homes with attached 2 to 4-car garages and typically 3-6 bedrooms. Sample elevations are attached as part of this application.

The Development partner for the apartment complex is Oppidan Investment Company. Oppidan is an experienced, successful commercial developer of different multi-family facilities and works with experienced experts beginning with proper market studies, professional design and following through construction and operation. Their experience in this portion of Peltier Reserve will be an important part of the success in pursuing the variety of housing options as desired by the Northwest Area Overlay.

It is anticipated that grading operations could commence following preliminary plat approval with street and utility construction in the late summer and fall of 2021. Home construction will begin with early models and spec. homes to allow opening with the completion of utilities and initial road construction. Depending on market demand, full buildout is anticipated in approximately 36 months following this commencement of construction.

Peltier Reserve will be a very diverse single-family neighborhood with publicly owned and maintained streets and utilities constructed to city specifications. Sidewalks and trails will be located within public rights-of-way or deeded to the City of Inver Grove Heights. We will also work with staff on any temporary turnarounds or stubs that will be extended with future development.

All stakeholders of this project must recognize the existing and proposed site constraints, such as the existing topography, the pipeline bisecting the property, the existing electric transmission line, the irregular shape of the development parcel, the proposed county road improvements, the numerous Northwest Area requirements, the City plat connection fees, and the required development density in order to make this project feasible.

EXISTING DEVELOPMENT STANDARDS

The developer believes this proposed PUD integrates the numerous requirements, objectives, policies, and design guidelines outlined the following documents:

- I.G.H. 2040 Comprehensive Plan
- I.G.H. Northwest Area Zoning Ordinance (Ord. 1148)
- I.G.H. Northwest Expansion Area AUAR
- I.G.H. Northwest Area Collector Street Plan
- I.G.H. Engineering Specifications for Construction
- Dakota County CSAH 26 & CSAH 63 Improvement Plans

NOTE: The applicant has found many of constraints in these guiding documents conflict with each other and attempting to adhere some requirement do not allow complying with the objectives in one or more of the other documents. This places undue burden on the proposed development and the projects stakeholders.

PLANNED UNIT DESIGN EXPECTATIONS

Site Design Element

Objective – distinct and unique housing mix

The proposed PUD provides a unique mixed-use housing alternative currently not available within a singular development within the City of Inver Grove Heights and creates a new combined low-medium-high density development. This development also provides a diverse housing mix with a wide variety of price points as well as recreational opportunities that will

benefit the community, providing both new and current residents the opportunity to live, work and play within the City of Inver Grove Heights.

Objective – enhance City of Inver Grove Heights character

Having a location adjacent the proposed Argenta Trail (CSAH 63) and 70th Street (CSAH 26) will provide easy access to transportation to both existing and future employment centers. Provide a comfortable, safe, place to live, while reducing the stress of residents' daily lives. The development strengthens the diversity of residential options in the City of Inver Grove Heights and the new construction provides an enhancement of the adjacent future residential areas.

Open Space Element

Objective – pedestrian-oriented development with diversified amenities for prime recreational use and community interaction.

Focusing on the pedestrian, the project intends to enhance the pedestrian link between the existing Argenta Hills neighborhood together with direct access to trails proposed along Argenta Trail (CSAH 63) and 70th Street (CSAH 26). As well as providing connectivity of this neighborhood to future neighborhoods east and south of Peltier Reserve with the intent of linking to the future extension the existing nature trail within Outlot C of Argenta Hills 8th Addition. The northerly trail shown within the pipeline easement should also promote a future northeasterly trail extension within future neighborhoods and continue to the 70th Street.

Architectural Element

Objective – provide a diverse choice of housing

Promoting an uncharacteristic single-family environment, the proposed development provides a unique selection of layouts and sustainable housing prices within the City of Inver Grove Heights and by providing a medium-density residential community that provides upper scale amenities at a reasonable housing price. The proposed housing product is prototypical of life cycle housing for the exploding, unmet demands of the first-time homebuyers and active adult market. The development is also within reasonable proximity to City of Inver Grove Heights's core amenities and infrastructure, further emphasizing the live, work and play environment.

Neighborhood Element

Objective – safe, well-maintained, pedestrian-oriented, desirable places to live

The proposed development emphasizes creating a sense of place, reinforcing existing landscaping and character of the area, protecting the privacy of adjacent neighbors, and promotes the following unique and desirable elements:

1. Community interaction through greenways and other common areas,
2. A connection among neighbors,
3. Convenient pedestrian/bicycle access to local amenities,
4. Visual interest and distinctive housing character by design with ample movement in the facades, and
5. A streetscape that is pedestrian friendly and safety focused and not primarily focused on the vehicle, all posted vehicle speed limits shall be 30 mph or below,

Objective – character and identity

Through the use of creative and flexible design standards, varied residential architecture, enhanced streetscape, and craftsman/cottage design themes, the development intends to

be thoughtful to the unique character of the existing and future neighborhoods. The common green space creates smooth transition between the different housing product types will create a mix of 'pocket neighborhoods' which is unique by design.

Growth Area Element

Objective – Maintain high quality of life and economically healthy community

By promoting mixed housing types to support central area employment centers, the proposed development creates a more desirable live/work community by reducing commute times and promoting pedestrian and bicycle transportation not only in this development but in the surrounding neighborhoods. Its proximity to the major employment zones the project emphasizes the goal supporting a greater impact on the growth of the employment centers and providing a higher quality of life and health for the community.

Landscaping Element

Objective – provide plant material and soften the look of the development to create a more natural environment.

The developer and homebuilders propose to plant an extensive amount of overstory, ornamental and screening trees throughout the Peltier Reserve development and with the passage of the PUD will proceed to plant additional native vegetation in the non-treed areas throughout the Peltier Reserve green space. Many the species proposed to be planted both in the development and greenway are Xeriscape designated trees and shrubs perennials and grasses, meaning they do not require irrigation beyond the area's normal rainfall.

Sustainability Element

Objective – encourage low impact development

The emerging design explores mitigation of flooding and erosion damage, reclamation of rain water and promoting alternative transportation use through a pedestrian-friendly design in order to minimize potential negative impacts to the surrounding environment. An important low impact application for this development includes a permanent rain water reclamation system that will use rainwater for irrigation of the development's green space and apartment turf and landscaping. Unfortunately, the oversized roadway and oversized trails proposed by the City, known as Alvemo Avenue is in direct conflict to any goals of low impact development.

PROPOSED PELTIER RESERVE PUD DEVELOPMENT STANDARDS

PUD Uses Permitted:	Residential dwelling, single-family detached and Multifamily Apartment with up to 180 rental units
Accessory Uses:	No accessory buildings of any kind allowed per Covenants
Public Safety and Signage	Comply with City of Inver Grove Heights Zoning Ordinance All streets to have posted speed limits of 30 mph or less
Tree Inventory & Replacement	See Tree Inventory and Tree Replacement Section below
Landscape Standards (single-family)	Comply with City of Inver Grove Heights Zoning Ordinance
Landscape Standards (multifamily)	One tree per 40' of lot perimeter

Open Space Areas

The proposed green space of Peltier Reserve is approx. 13.3 acres (36.5 %) and based on the required grading of the existing topography and the NWA density requirements, about 3.25 acres is undisturbed open space

Architectural Design Standards:

Comply with City of I.G.H Zoning Ordinance and Peltier Reserve PUD Architectural Design Guidelines (see below)

Peltier Reserve PUD Project-Specific Standards Table (based on NWA Density Requirements):

PUD Lot Types:	Med. Density	Low Density	Low Density	Low Density	Multifamily
Lot Width	36' & 38'	50' & 52'	60'	65'	-
Lot Depth (min.)	125'	130'	130'	135'	-
Lot Area (avg.)	4,625 sf	6,600 sf	7,800 sf	8,775 sf	202,896 sf
Pad Width	26' & 28'	40' & 42'	50'	50'	-
Pad Depth	70'	70'	60'	60'	-
Unit Totals	52	36	16	20	Up to 180
Building Setbacks:					
Front	25'	25'	25'	25'	40'
Side	5'	5'	5'	7.5'	40'
Rear	30'	30'	30'	30'	50'
Corner	15'	15'	15'	15'	40'
County Road	50'	50'	50'	50'	100'
Building Height	35'	35'	35'	35'	-
Lot Coverage					
Building Pad	1,980 sf	2,800 sf	2,950 sf	3,000 sf	52,000 sf (26%)
Driveway & Walks	520 sf	775 sf	800 sf	900 sf	3,500 sf
Parking Lot	-	-	-	-	30,500 sf
Lot Impervious (max.)	2,500 sf (55%)	3,575 sf (55%)	3,750 sf (48%)	3,900 sf (45%)	86,000 sf (42%)
Vehicle Parking					
S-F & Apartment	1 off-street	2 off-street	2 off-street	2 off-street	1 gar. + 0.5/un.

PROPOSED PELTIER RESERVE TREE INVENTORY AND REPLACEMENT

As part of this PUD the applicant is proposing flexibility of the existing City of I.G.H. ordinance related to existing tree replacement. The following 'Except' replacement standards are based on typical requirements in other municipalities around the metropolitan area and specific to this development:

- Based on the arduous existing topography, the NWA density requirements and other site constraints discussed above, the applicant is requesting Type "A" tree replacement be reduced to 25% replacement and Type "B" tree replacement reduced to 50%. The Type "C" tree replacement and credit for Heritage Trees shall be per ordinance.
- Requesting the definition of a Significant Tree to be 12 caliper inches and larger
- Trees removed for Stormwater Management Basins are exempt of replacement
- Trees removed for the oversizing of Alverno Avenue are exempt of replacement
- Trees removed for the excavation required for the proposed County Road Improvements and the County Road access at 72nd Street W. are exempt of replacement

The applicant will submit a Tree Preservation Plan and Proposed Landscape Plan based on these requested standards for review by the City.

ARCHITECTURAL DESIGN GUIDELINES

The architectural design guidelines and standards outlined within this PUD reflect the desire for a heightened quality of materials, sustainable design elements, and architectural character of the proposed neighborhood. The general guidelines outlined in the City of Inver Grove Heights Zoning Ordinance shall apply. The proposed design guidelines are considerably more restrictive than those defined by the City of Inver Grove Heights Zoning Ordinance, the guideline requirements of this PUD shall govern.

OVERSIZING OF ALVERNO AVENUE

The applicant is proposing that the City provide a negotiated reduction of City fees equal to the additional construction costs over what would be expected market rate construction of a typical 60' ROW / 32' F-F Roadway. The applicant also expects the City to provide a reduction of fees equal the cost of the 16" trunk watermain minus cost to construct the 8" watermain required for this development.

NEIGHBORHOOD MEETING

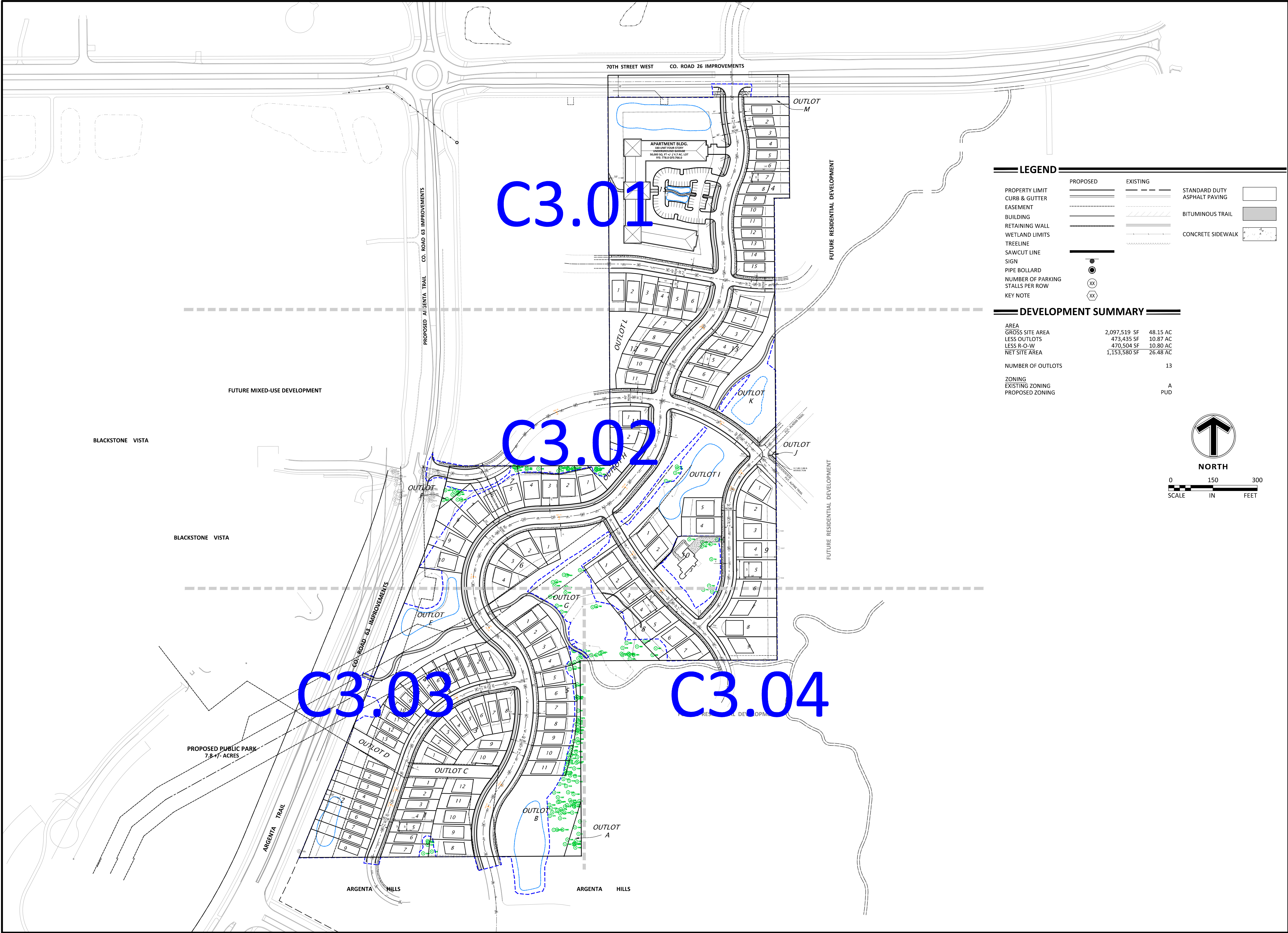
A neighborhood meeting for the proposal was conducted on February 4, 2021, via Zoom, for this project and we received significant, valuable input from the community. The plan for development presented to the neighbors and a discussion related to various factors was engaged in with the participants. Many of the points raised by the community were valuable in the final design proposal and Builders Lot Group, LLC agrees with many points raised. A summary of the comments and points of discussion from that meeting are also submitted with the application.

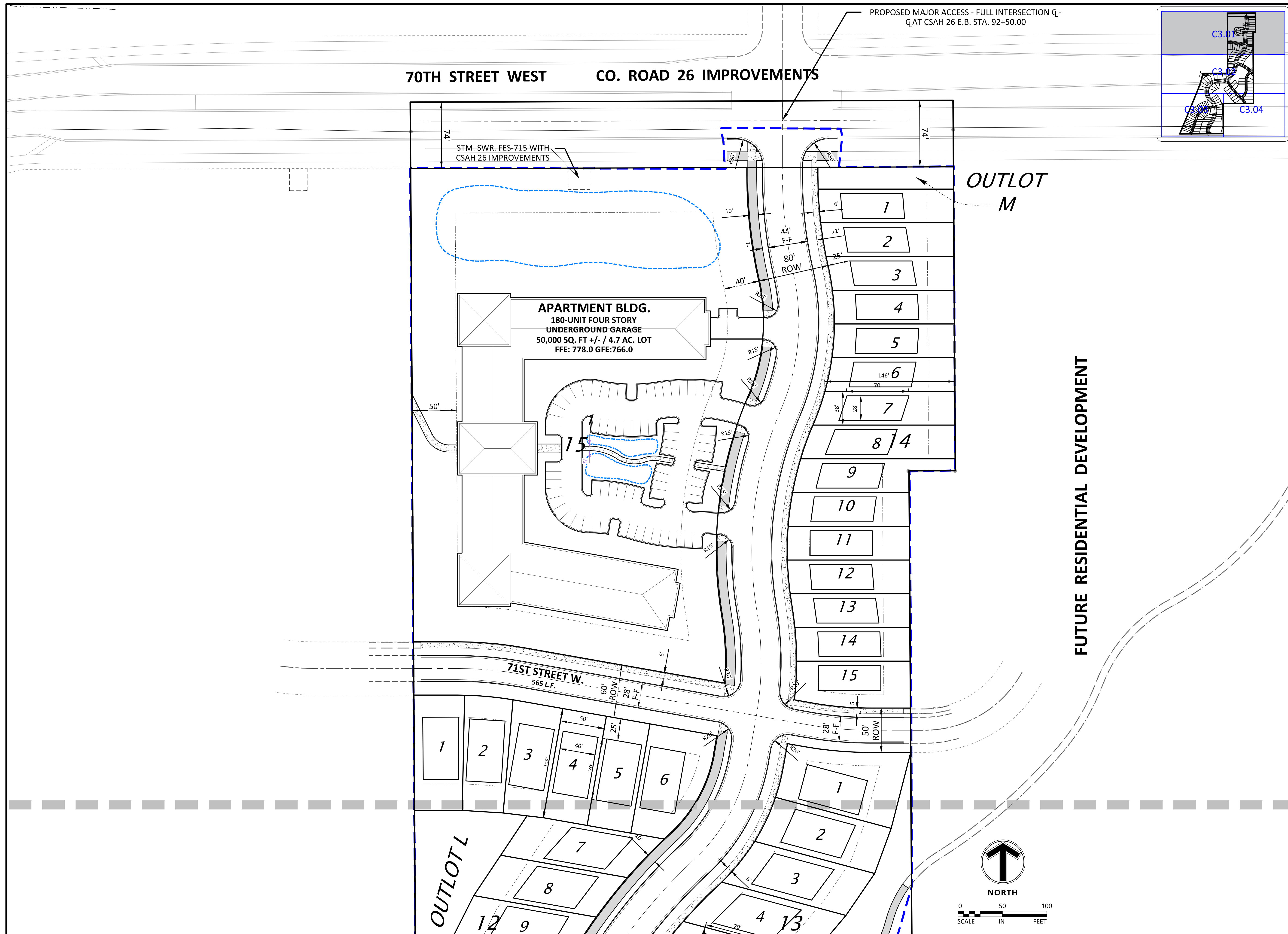
CONCLUSION

This Planned Unit Development provides the opportunity to develop 46.15 net acres (48.15 gross acres) with a high-quality, innovative neighborhood that will provide housing diversity and a unique opportunity for an exceptional community with ample green space, a mix of home prices and add to the City's tax base. The creative and thoughtful site planning, architecture, common areas, sustainable features, and flexibility with ordinances will create a sense of place on this challenging site that will benefit the overall community as a whole and is consistent with the purpose of Planned Unit Developments. The result will be a superior neighborhood for the future residents of Peltier Reserve and an excellent accompaniment to the City.



PRELIMINARY
PLAT
SHEET 2 OF 2 SHEETS





Client



Project PELTIER RESERVE

Location
INVER GROVE
HEIGHTS, MN

Certification

I hereby certify that this plan, specification 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.

Eric T. Lofgren
Registration No. 50475 Date: 02/16/2021

If applicable, contact us for a wet signed copy of this plan which is available upon request at Sambatek's, Minnetonka, MN office.

Summary

Designed: JEB Drawn: CJS
Approved: ETL Book / Page:
Phase: PRELIMINARY Initial Issue: 02/16/2021

Revision History

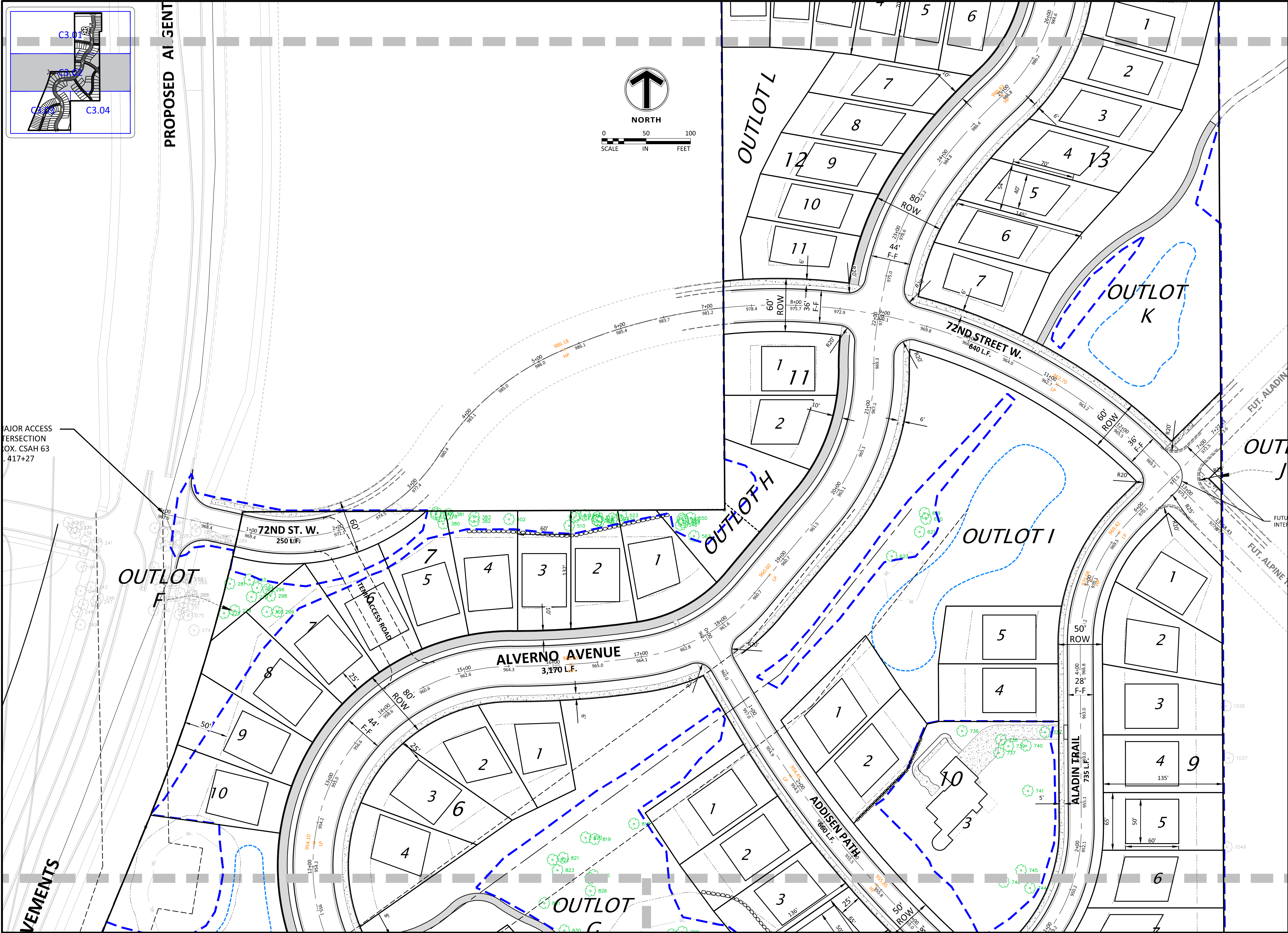
No.	Date	By	Submittal / Revision
	02/16/21		CITY SUBMITTAL
	03/02/21		PLANNING COMMENTS

Sheet Title

SITE PLAN

Sheet No. Revision
C3.01

Project No. 22425



MAJOR ACCESS
INTERSECTION
W. CSAH 63
S. 417+27

REMARKS



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Engineering | Surveying | Planning | Environmental

Client



Builders
LOT GROUP

Project
**PELTIER
RESERVE**

Location
**INVER GROVE
HEIGHTS, MN**

Certification

I hereby certify that this plan, specification 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.

PRELIMINARY

Eric T. J...
Registration No. 50475 Date: 02/16/2021

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Summary

Designed: JEB Drawn: CIS
Approved: ETL Book / Page:
Phase: PRELIMINARY Initial Issue: 02/16/2021

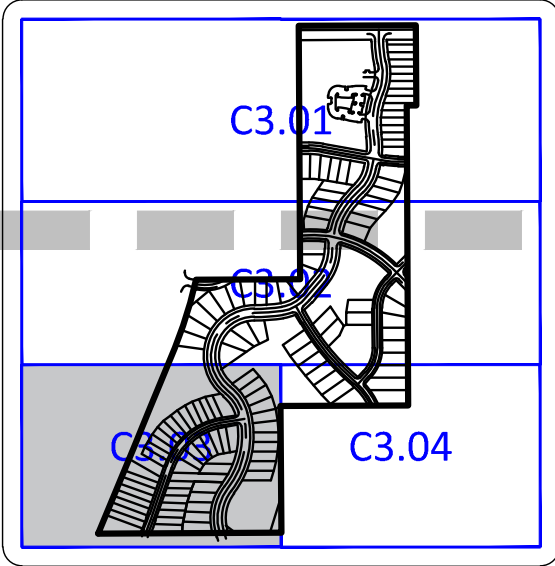
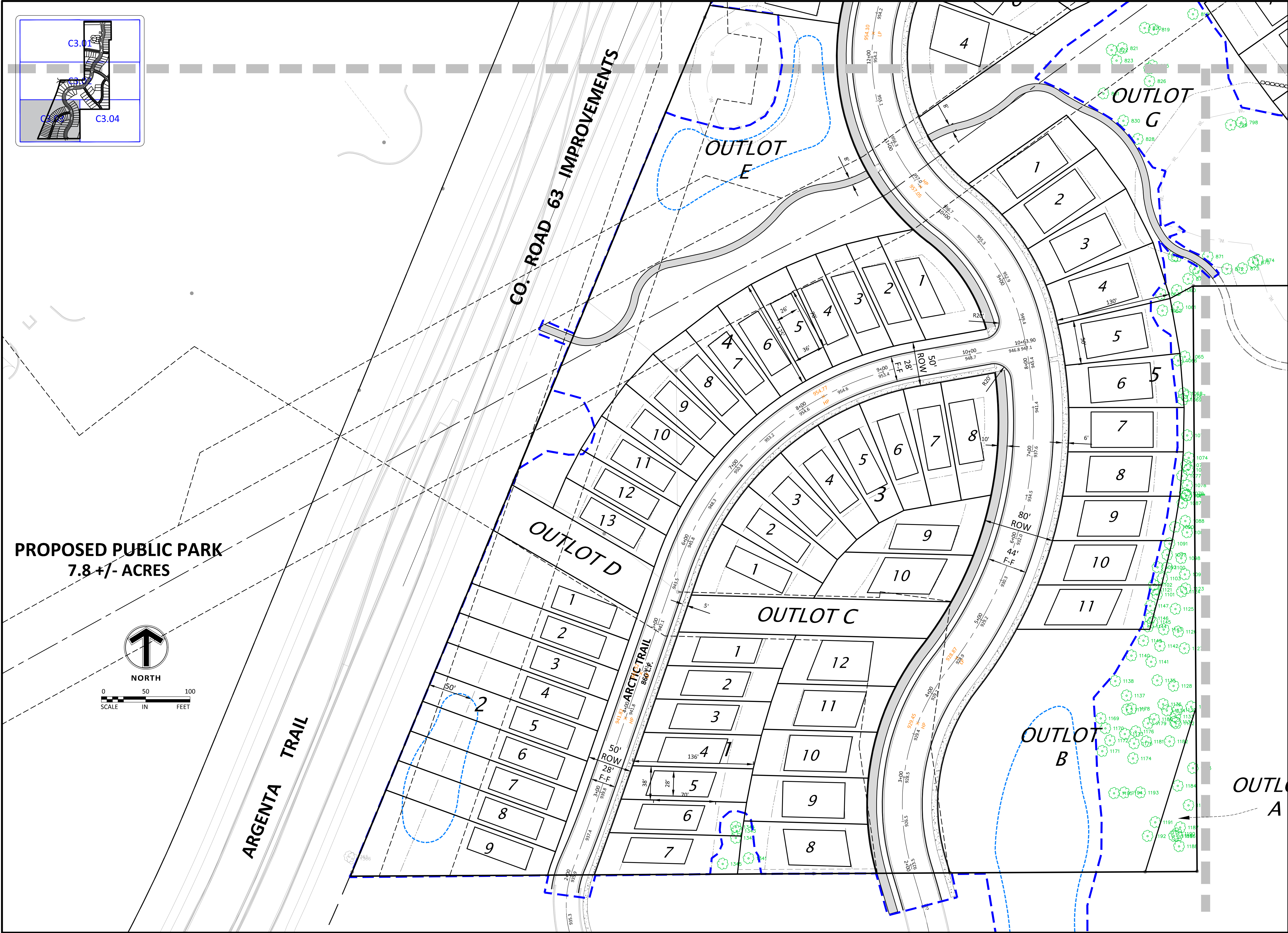
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No.	Date By Submittal / Revision
02/16/21	CITY SUBMITTAL
03/02/21	PLANNING COMMENTS

Sheet Title
SITE PLAN

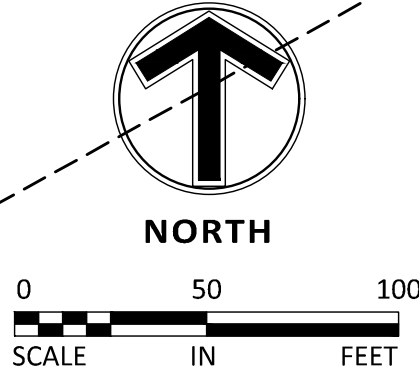
Sheet No. Revision

C3.02

Project No. 22425



PROPOSED PUBLIC PARK
7.8 +/- ACRES





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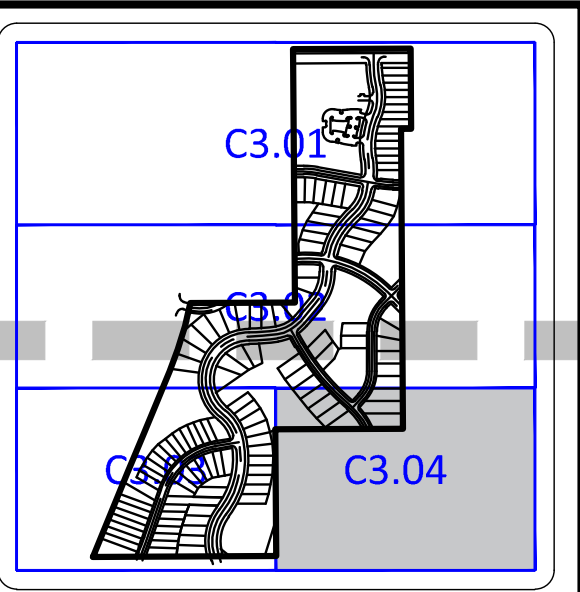
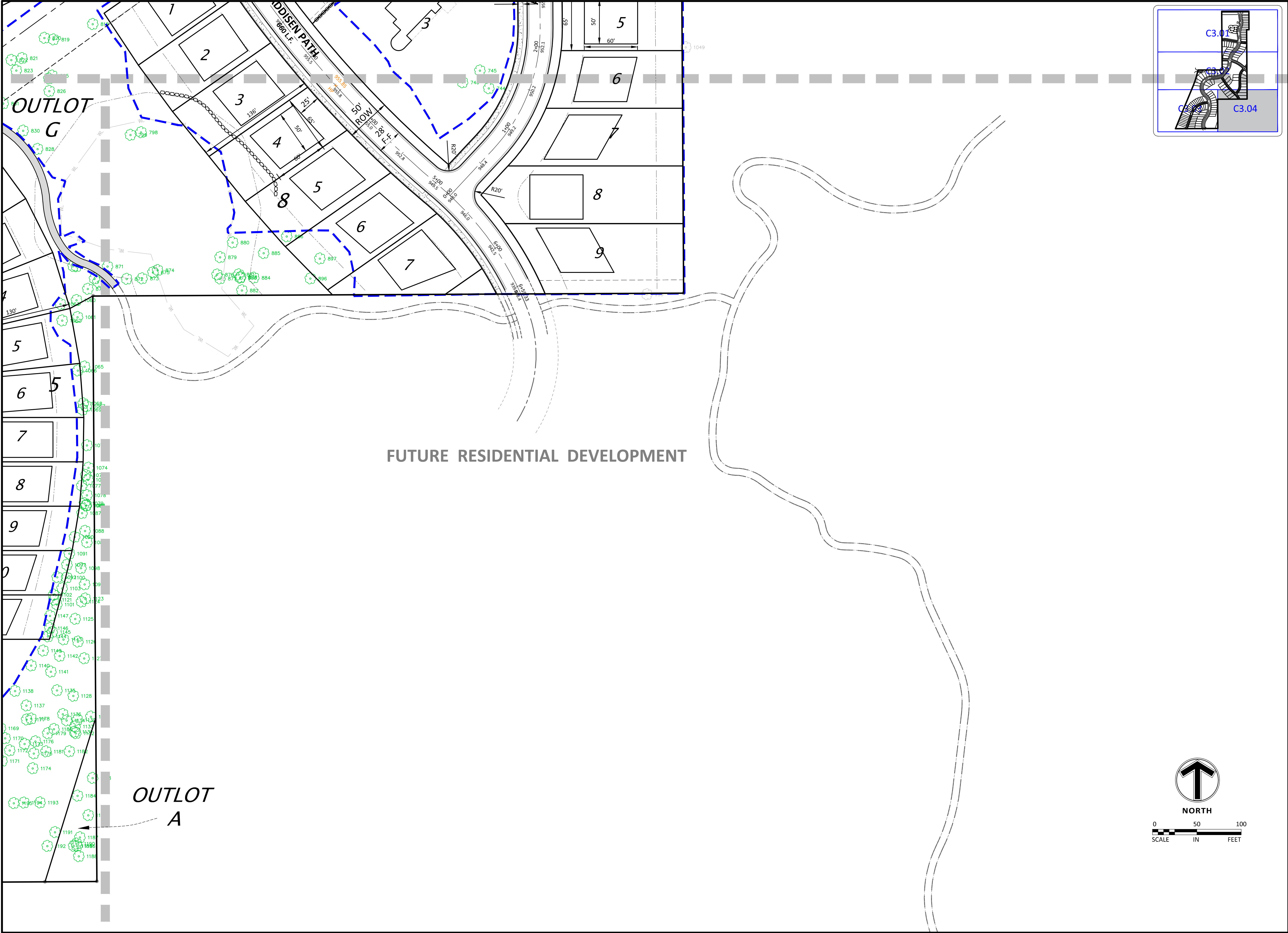
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Sheet Title
SITE PLAN

Sheet No. **Revision**
C3.03

Project No. 22425



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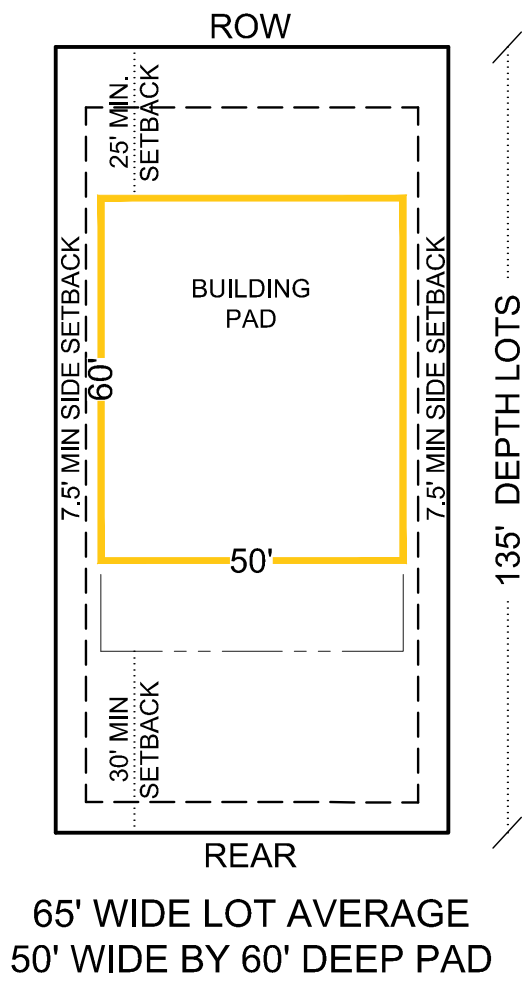
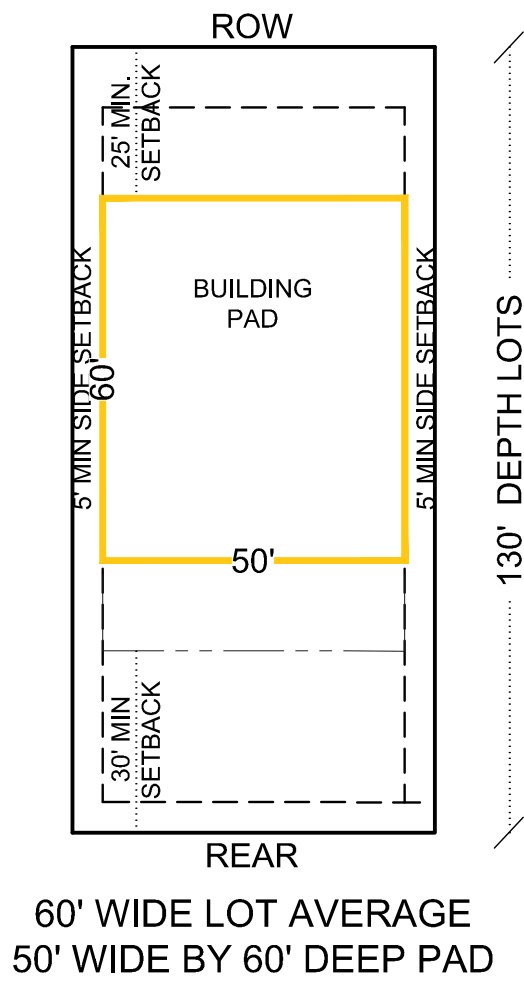
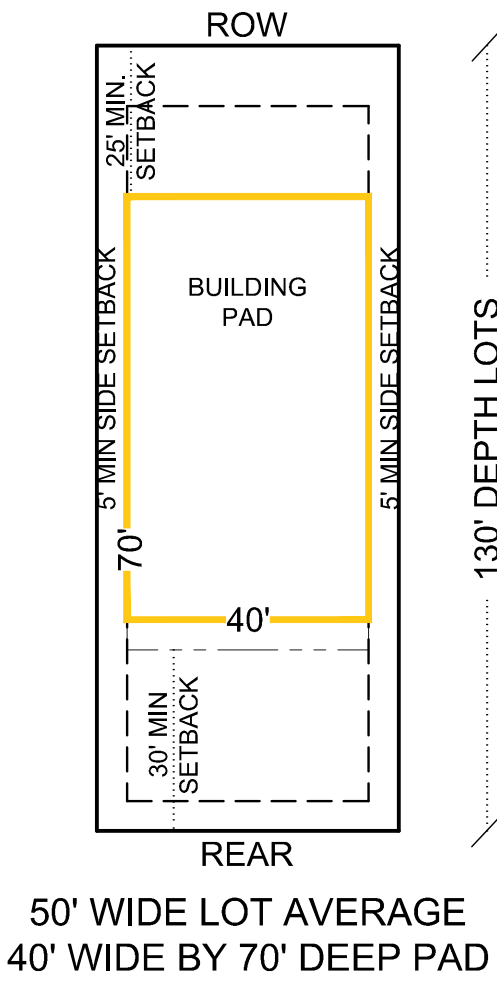
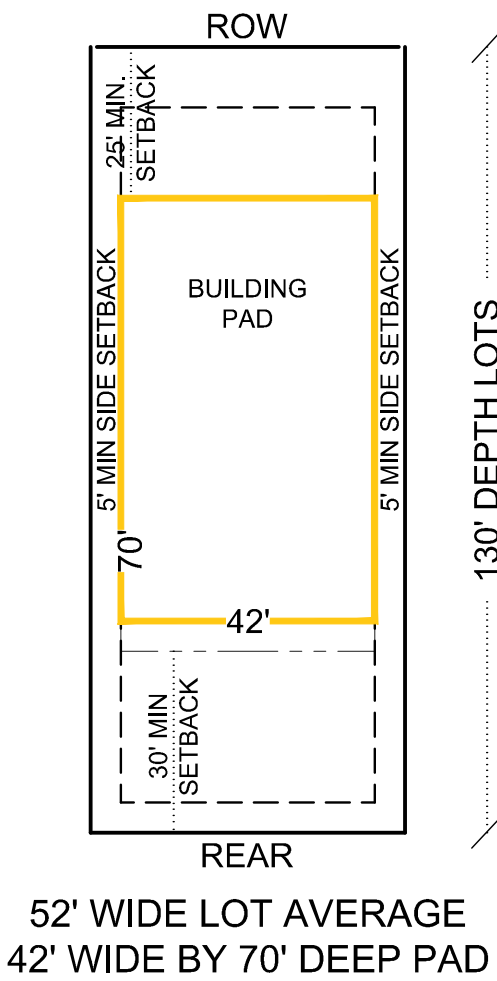
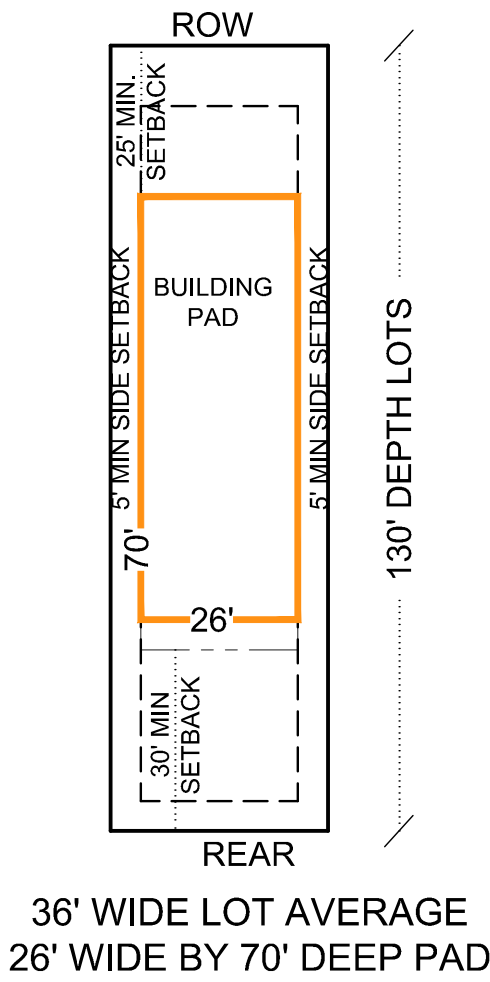
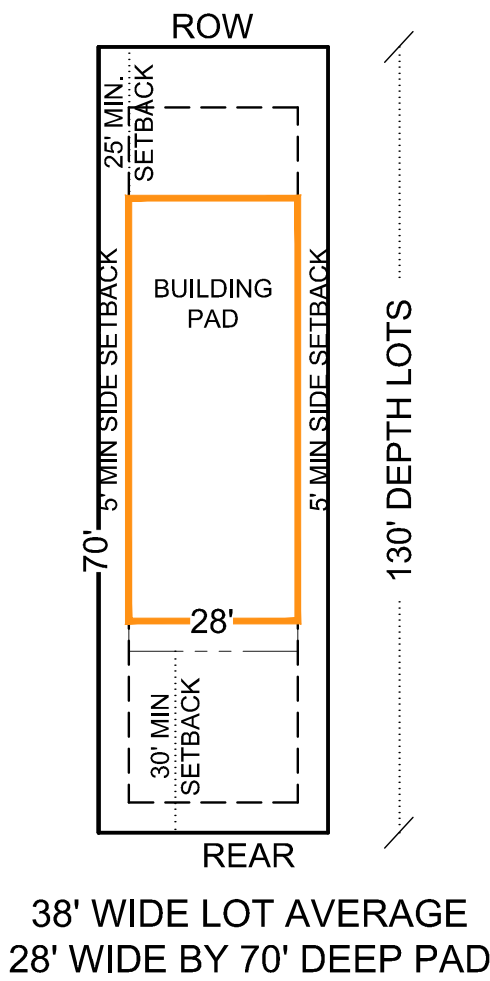
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03/02/21	PLANNING COMMENTS

Sheet Title
SITE PLAN

Sheet No. **Revision**
C3.04
Project No. 22425

	APPLIED & SUPPLEMENTAL PUD NEIGHBORHOOD DESIGN STANDARDS						
	Medium Density	Low Density	Low Density	Low Density	Multi Use	Existing House	TOTAL
Lot Requirements							
Lot Width	36'-38'	50'-52'	60'	65'			
Lot Depth	125'	130'	130'	135'			
Lot Size	4500-4750 SF	6500-6760 SF	7800 SF	8775 SF			
Total Lot Size	311,895 SF	254,454 SF	147,077 SF	194,929 SF	202,896 SF	42,329 SF	1,153,580 SF
Pad Width	26'-28'	40'-42'	50'	50'			
Pad Depth	70'	70'	60'	60'			
Units	53	35	16	20	180		305 Units
Setbacks							
Front (From ROW)	25'	25'	25'	25'	40'		
Side (House & Garage)	5'	5'	5'	7.5'	40'		
Side (Corner)	15'	15'	15'	15'	40'		
Side (County Rd 70)	50'	50'	50'	50'	100'		
Rear	30'	30'	30'	30'	50'		
Rear (Argenta Trail)	50'	50'	50'	50'	50'		
Building Height	35'	35'	35'	35'			
Lot Coverage							
Building Pad	1,980 SF	2,800 SF	2,950 SF	3,000 SF	52,000 SF (26%)	0.57 AC	8.22 AC
Driveways & Walks	520 SF	775 SF	800 SF	900 SF	3,500 SF	0.76 AC	2.97 AC
Parking Lot					30,500 SF		0.70 AC
Lot Impervious (max.)	2,500 SF (55%)	3,575 SF (55%)	3,750 SF (48%)	3,900 SF (45%)	86,000 SF (42%)		
Total Impervious:						1.33 AC	11.89 AC
Vehicle Parking							
SF & Apartment	1 OFF-STREET	2 OFF-STREET	2 OFF-STREET	2 OFF-STREET	1 GAR.+0.5/UNIT		
Total Streets Impervious							5.77 AC





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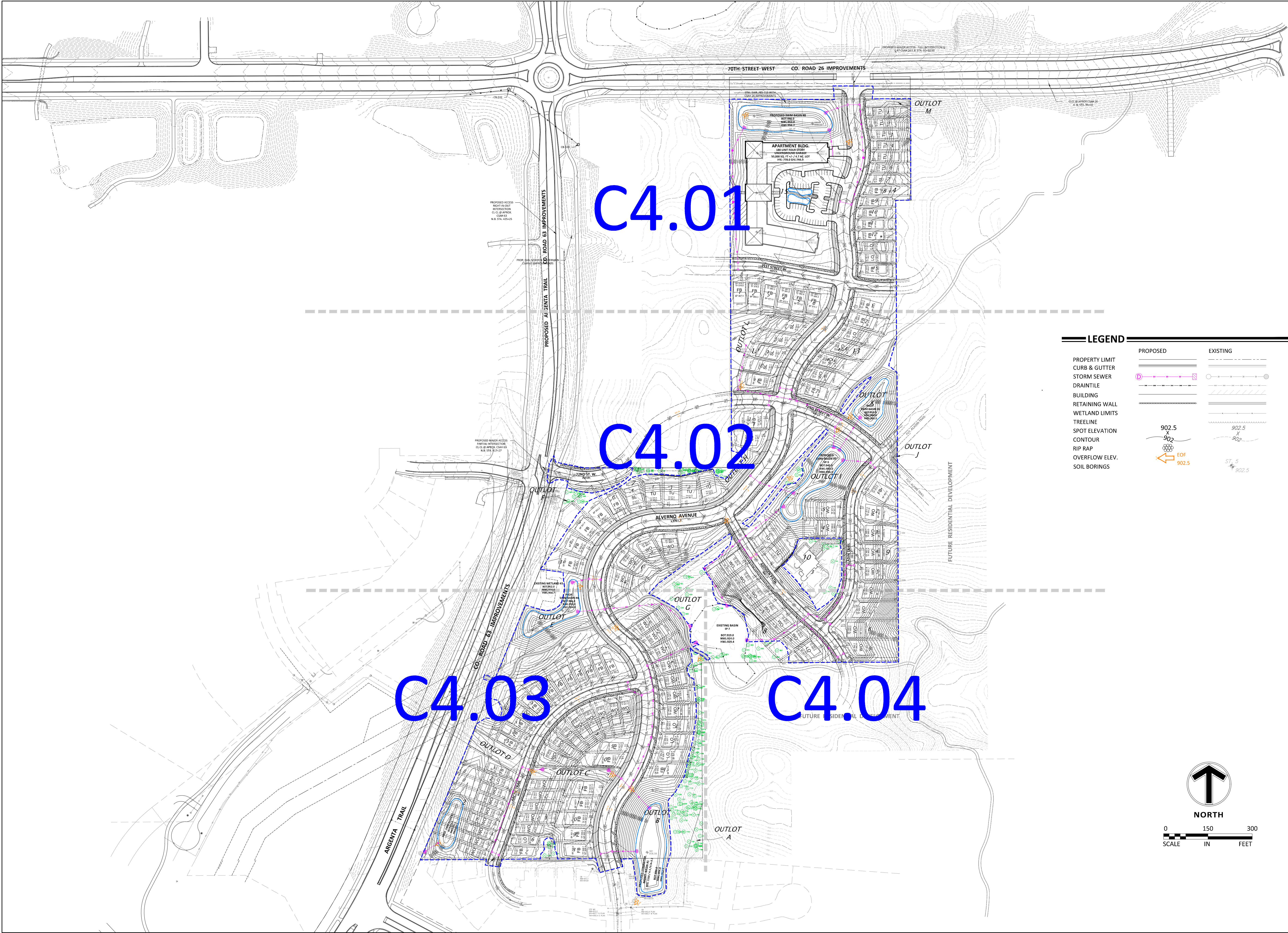
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03/02/21			PLANNING COMMENTS

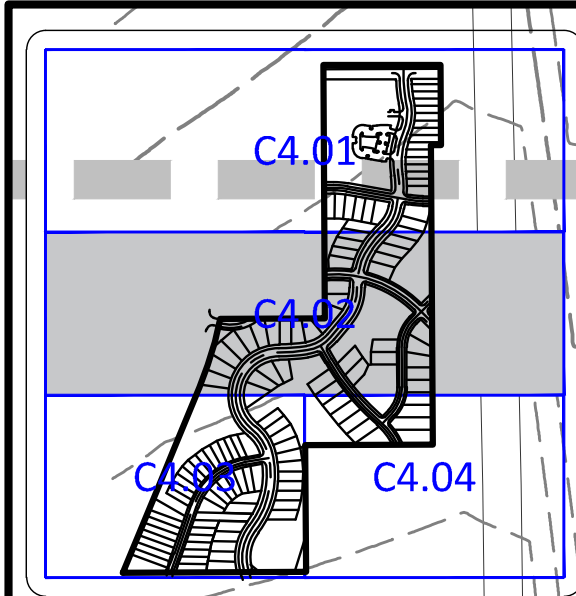
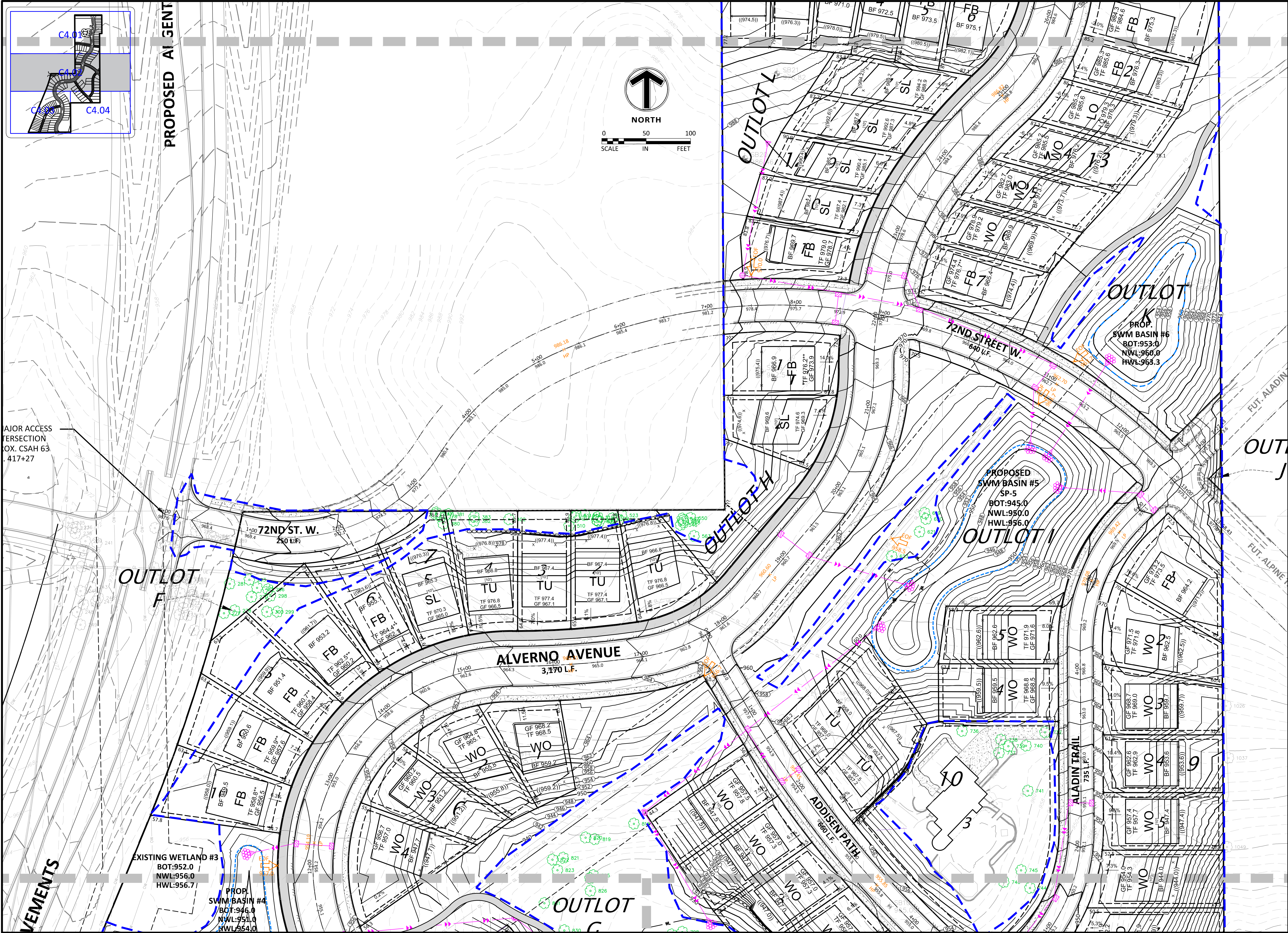
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PUD APPLIED
STANDARDS

Sheet No. Revision
C3.05

Project No. 22425

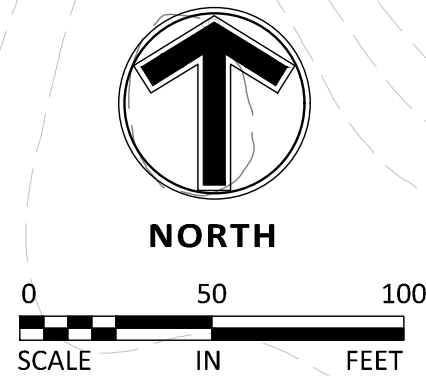


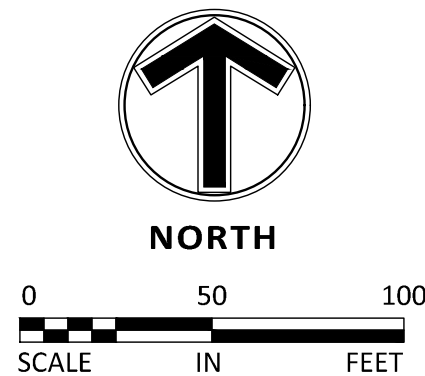
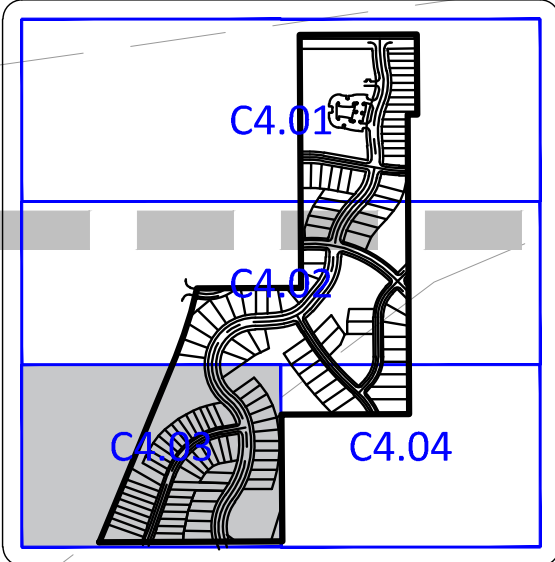
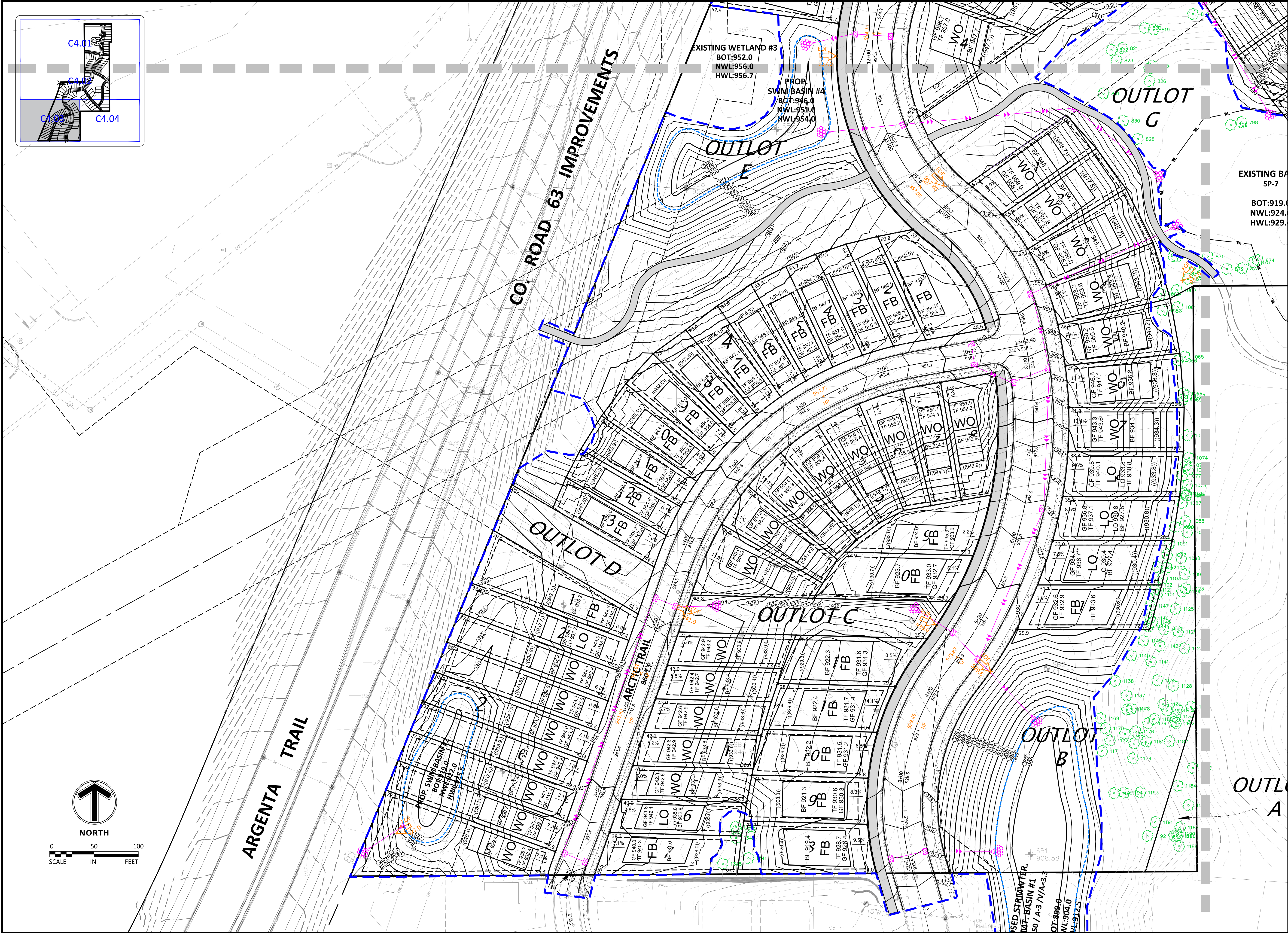




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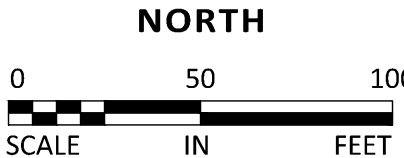
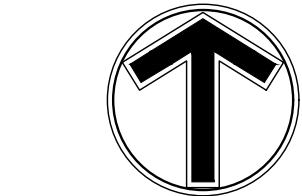
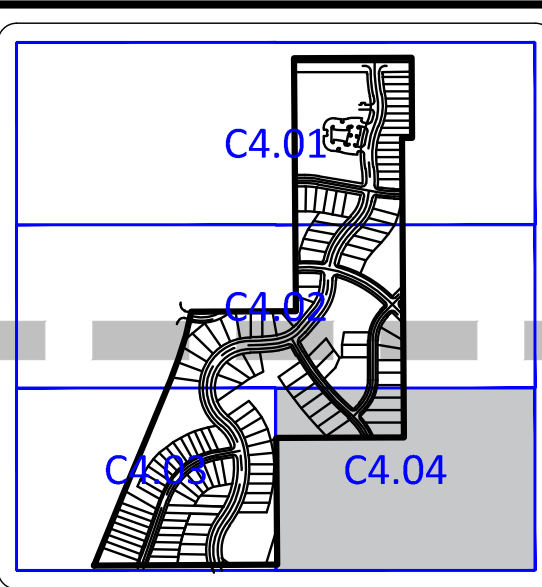
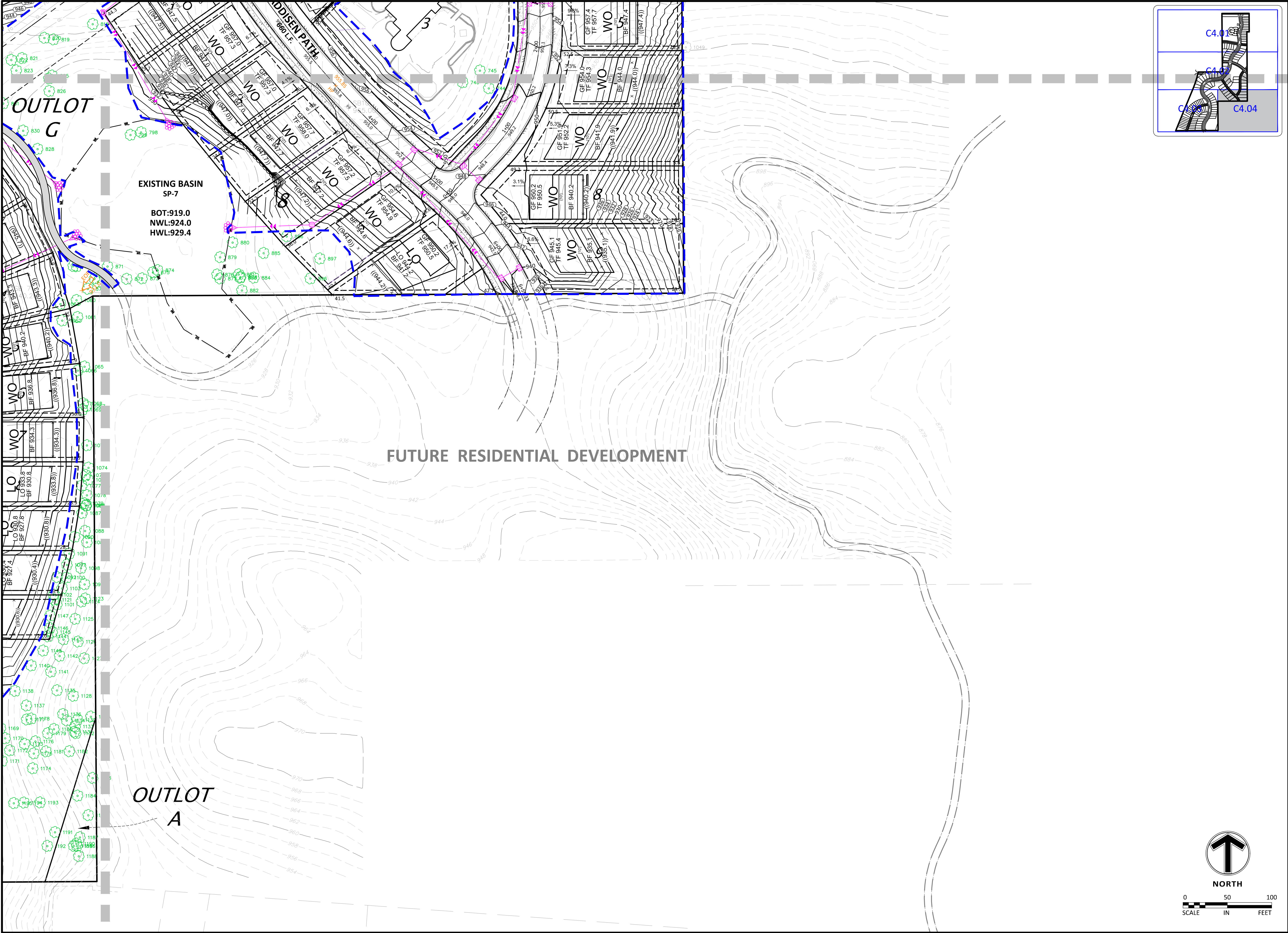
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03/02/21		PLANNING COMMENTS

Sheet Title
GRADING PLAN

Sheet No. **Revision**
C4.03

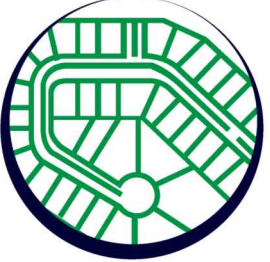
Project No. **22425**



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Builders
LOT GROUP

Project
PELTIER
RESERVE

Location
INVER GROVE
HEIGHTS, MN

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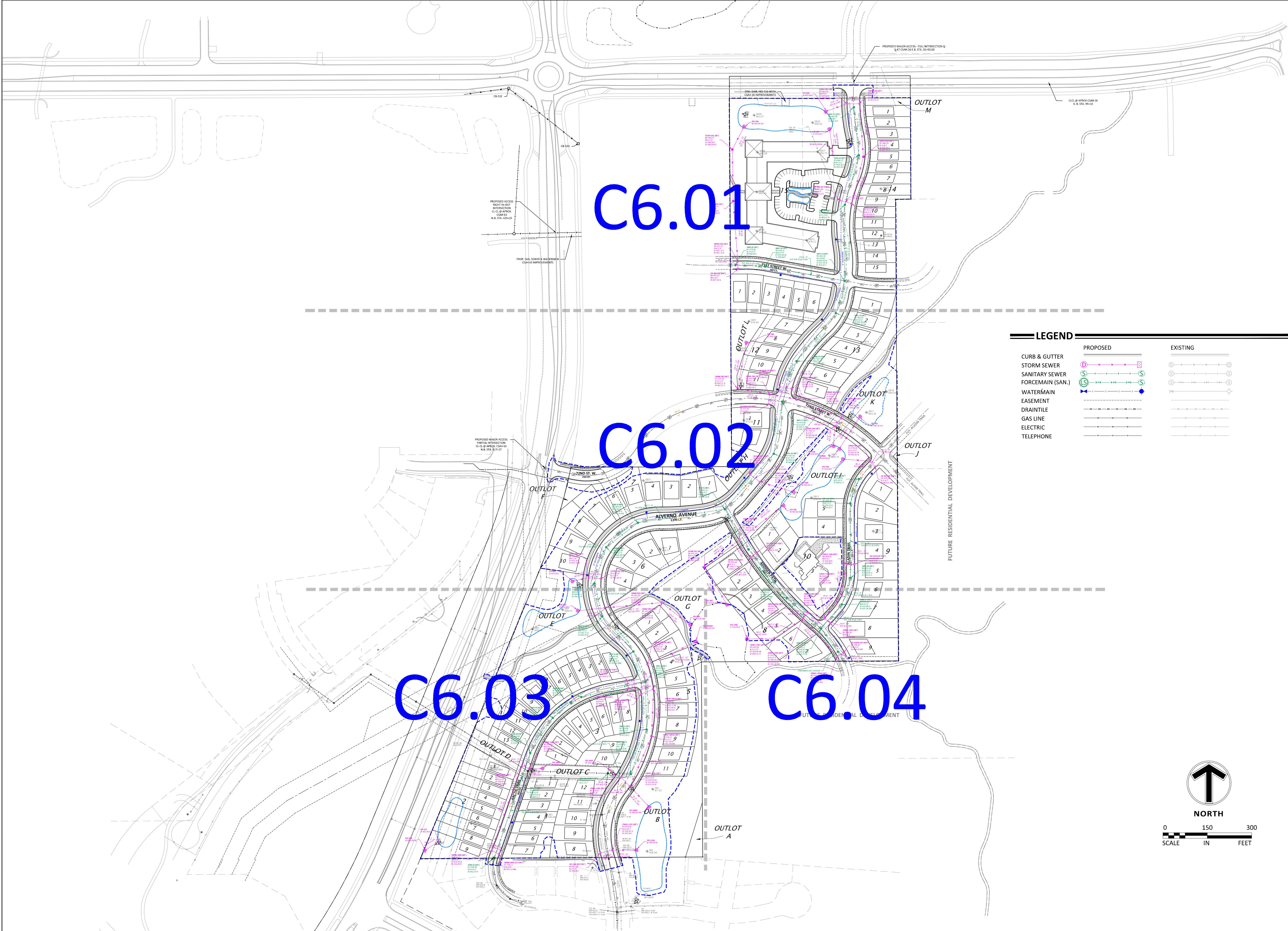
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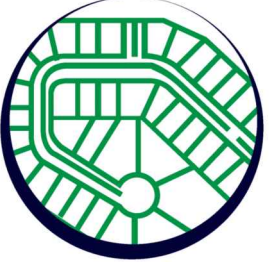
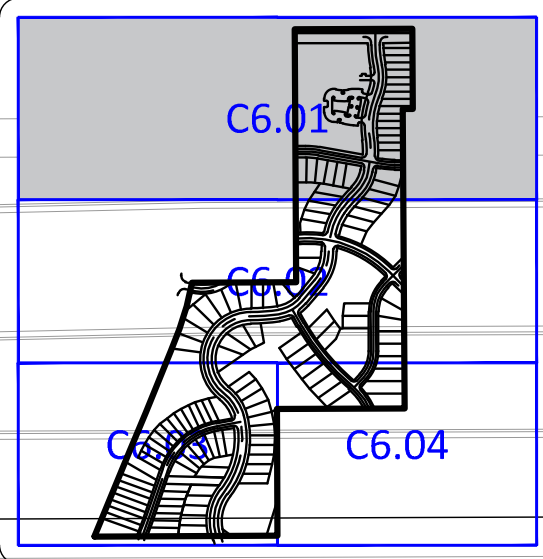
Sheet Title
GRADING PLAN

Sheet No. Revision
C4.04

Project No. 22425







Certification

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Eric T. Little
Registration No. 50475 Date: 02/16/2021

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Summary

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03	03/02/21	PLANNING COMMENTS

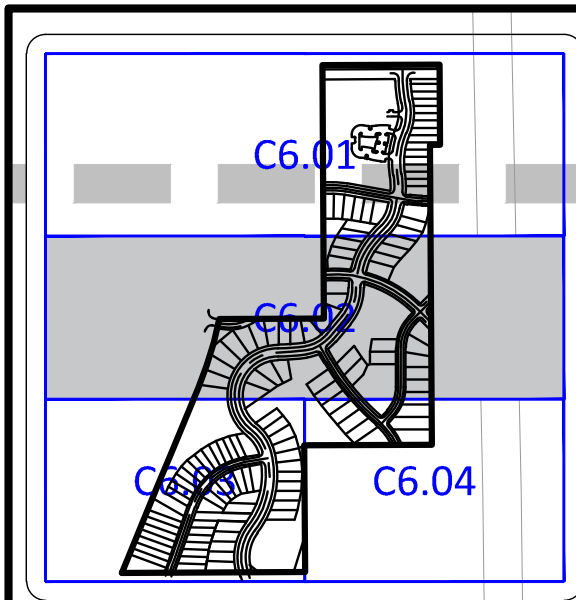
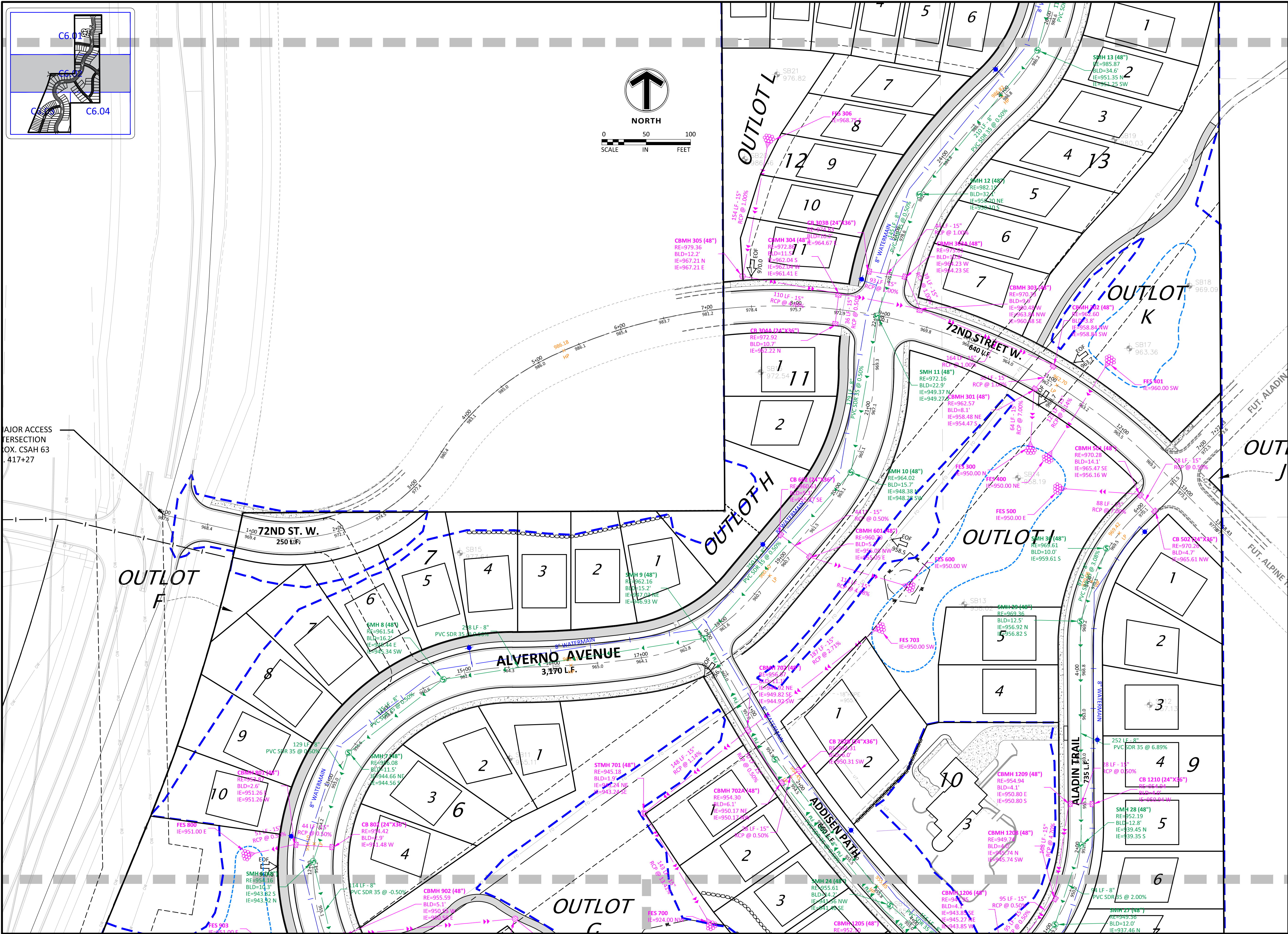
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UTILITY PLAN

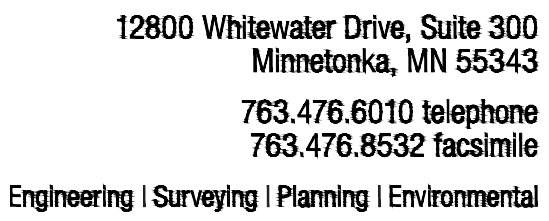
Sheet No. Revision

C6.01

Project No. 22425



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Project PELTIER RESERVE

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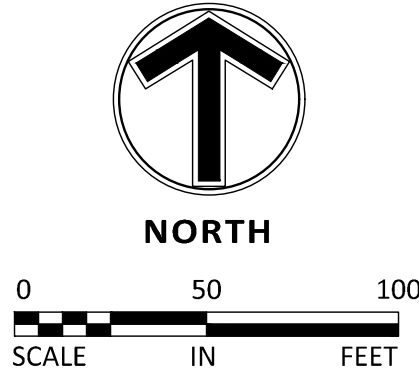
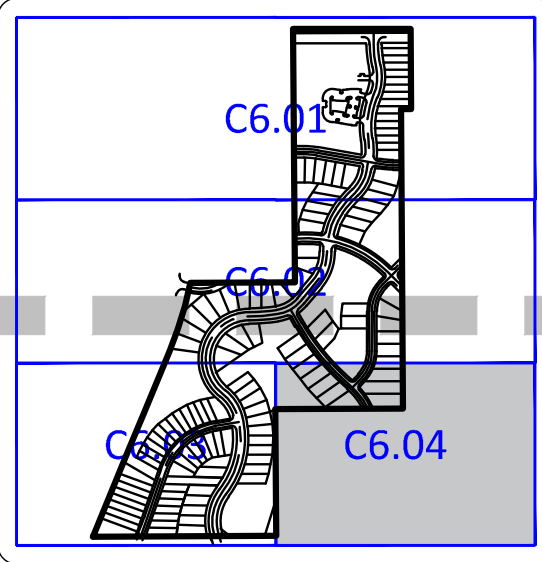
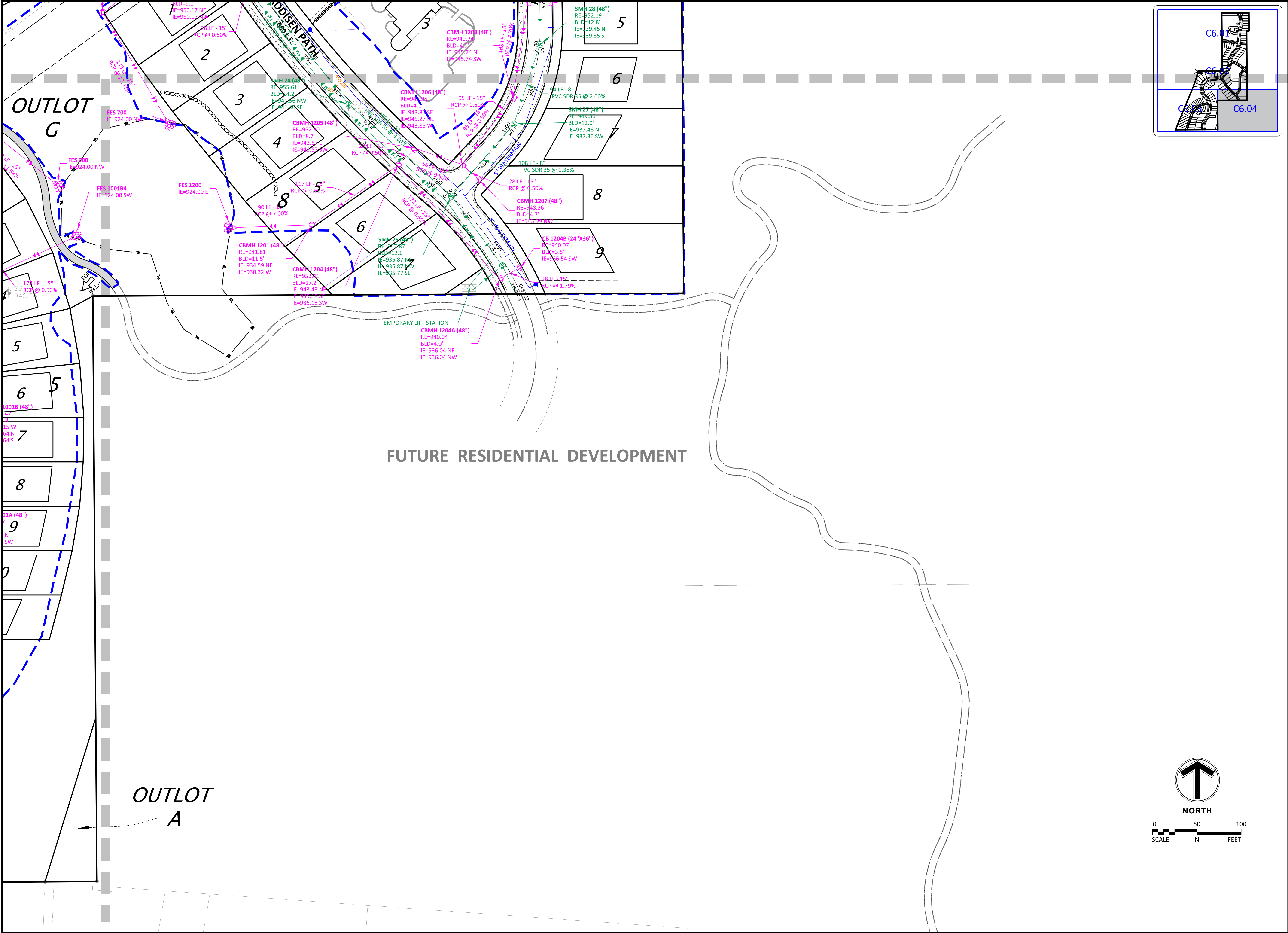
Eric T. Lutz
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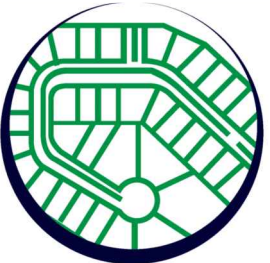
Sheet No. Revision
C6.03

Project No. 22425



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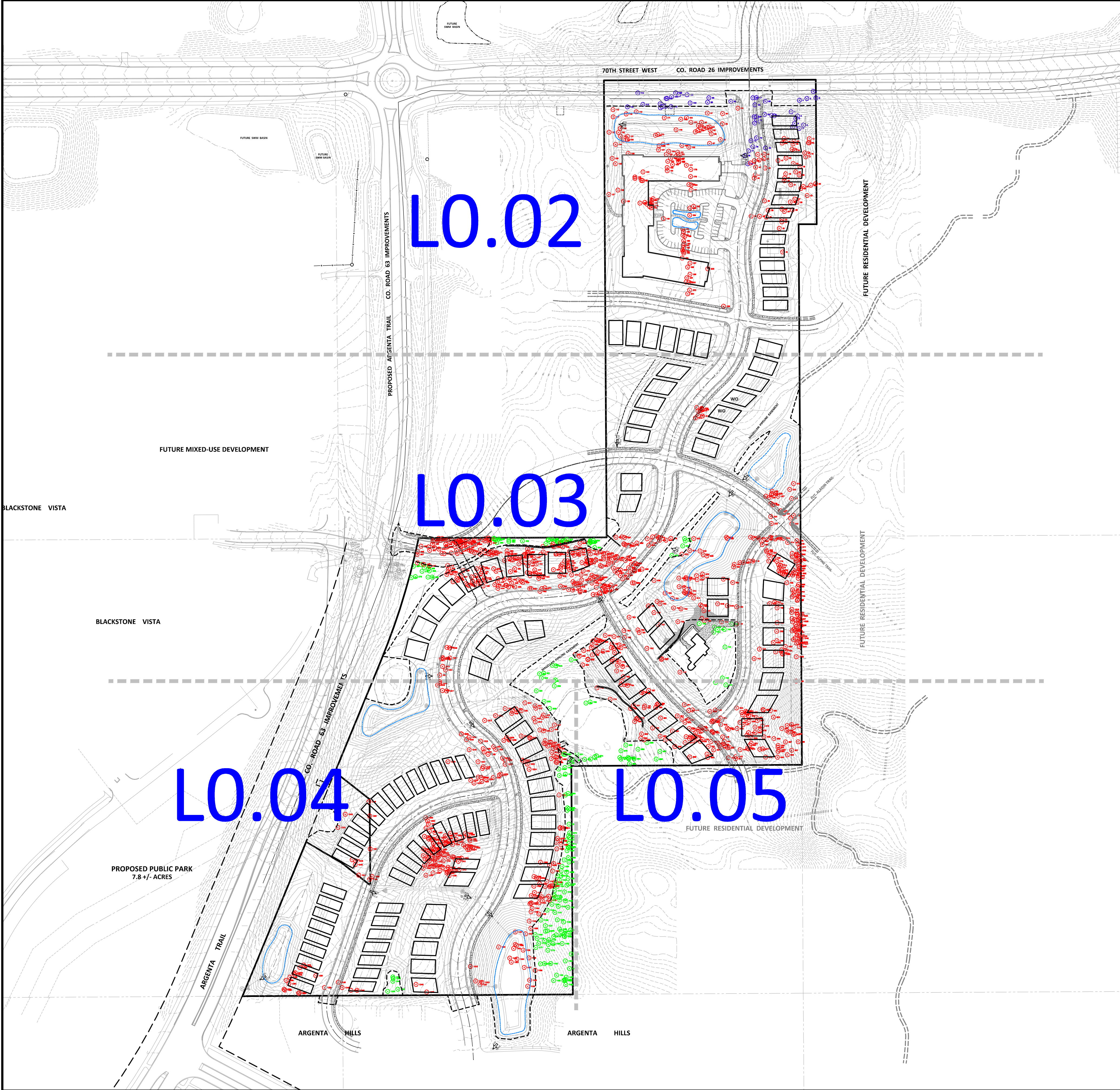
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03/02/21	PLANNING COMMENTS

Sheet Title
UTILITY PLAN

Sheet No. **Revision**
C6.04
Project No. 22425



LEGEND

PROPERTY LIMIT

CURB & GUTTER

EASEMENT

BUILDING

RETAINING WALL

WETLAND LIMITS

TREELINE

SIGN

PROPOSED

EXISTING

STANDARD DUTY ASPHALT PAVING

HEAVY DUTY ASPHALT PAVING

CONCRETE PAVING

CONCRETE SIDEWALK

EXISTING TREE (OFF SITE)

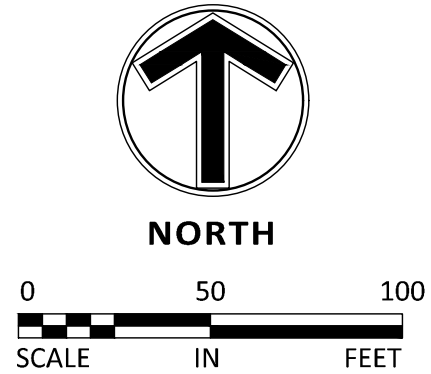
PRESERVED TREE

REMOVED TREE

REMOVED TREE (EXEMPT)

TREE PRESERVATION SUMMARY

	MDR/LDR	MDR/LDR	TOTALS
TOTAL INCHES AVAILABLE:	14,414"	1,567"	15,981"
TREE REMOVAL ALLOWANCE:	30%	40%	
ALLOWED REMOVABLE INCHES:	4,324"	627"	4,951"
INCHES REMOVED:	9,222"	1,276"	10,498"
1. TYPE "A" (50%)	1,245"	292"	
2. TYPE "B" (100%)	7,311"	870"	
3. TYPE "C" (100%)	666"	114"	
CREDIT FOR HERITAGE TREES PRESERVED (2:1 INCHES):	1,032"	-	1,032"
REQUIRED REPLACEMENT:			
1. INCHES:	3,866"	649"	4,515"
1.1. 2.5" TREES:	1,547	260	1,807





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Joshua McKinney

Registration No. 53234

Date: 02/05/2021

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Drawn: CIS

Approved: ETL

Book / Page:

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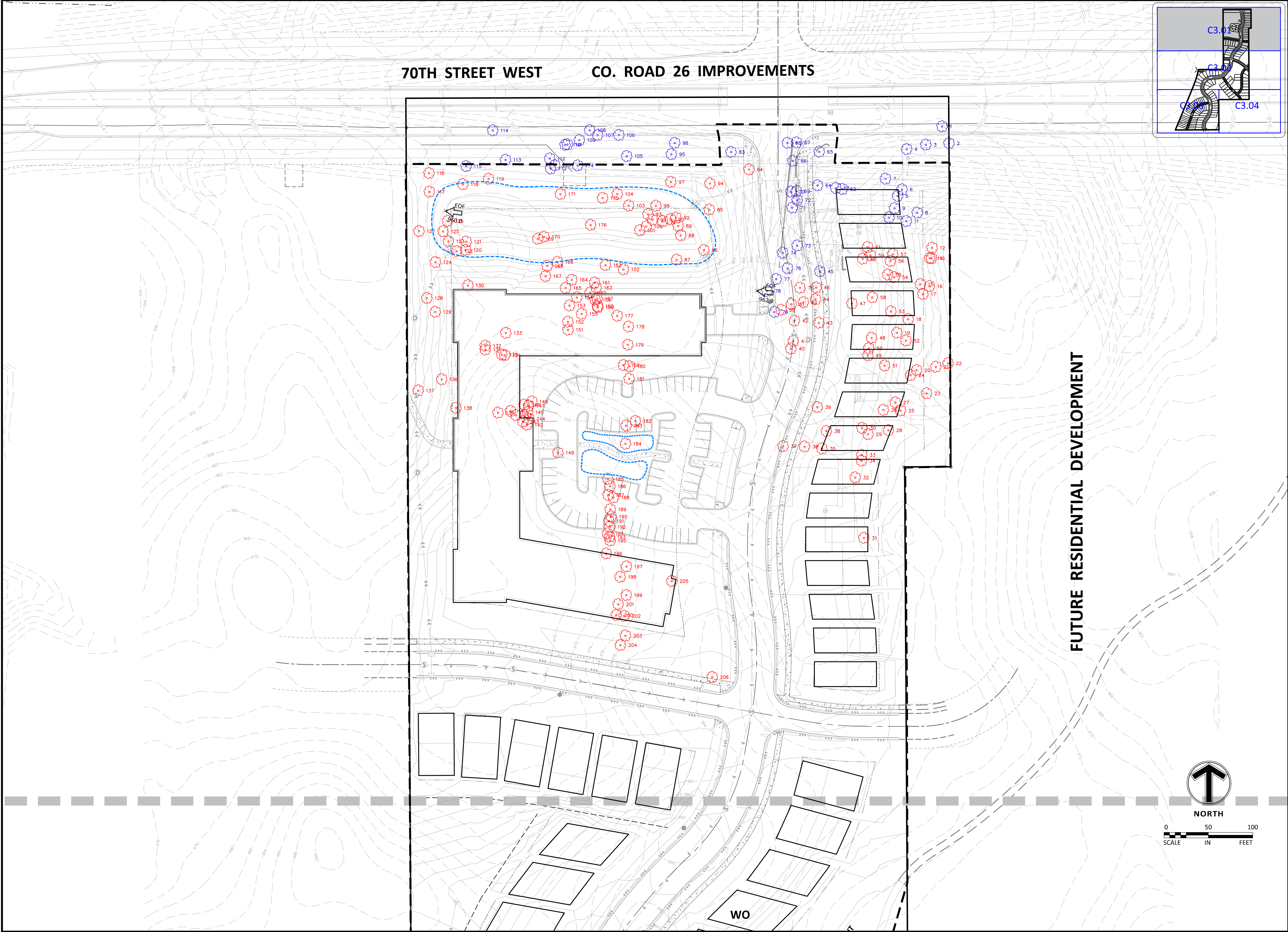
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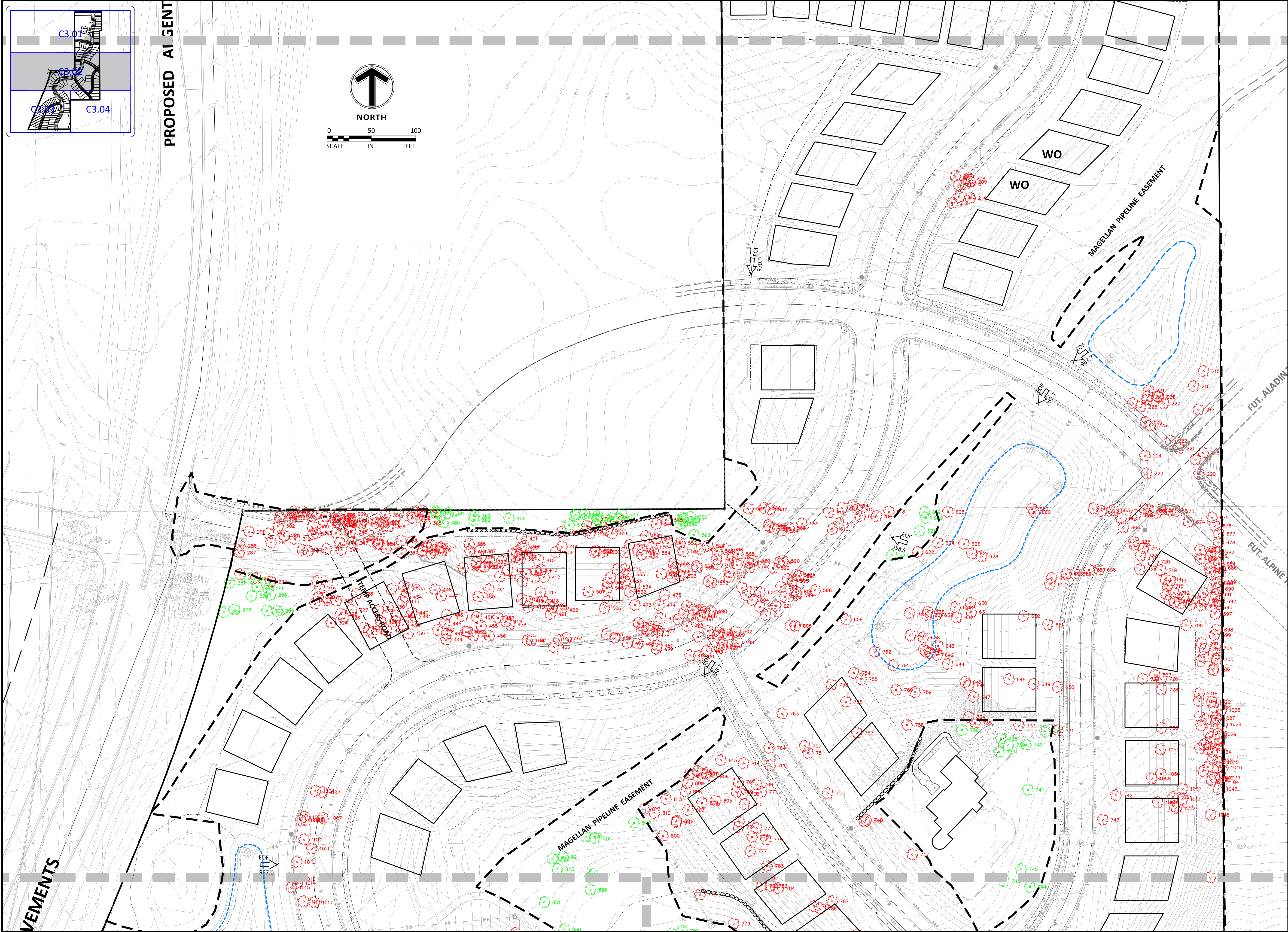
Revision History

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03/02/21			PLANNING COMMENTS

Sheet Title
TREE
INVENTORY -
OVERVIEW

Sheet No. Revision
L0.01
Project No. 22425





Mar-02, 2021 - 5:55pm - User:Csyverson L:\PROJECTS\22425\CAD\Civil\Sheets\22425-LD-TREE.dwg



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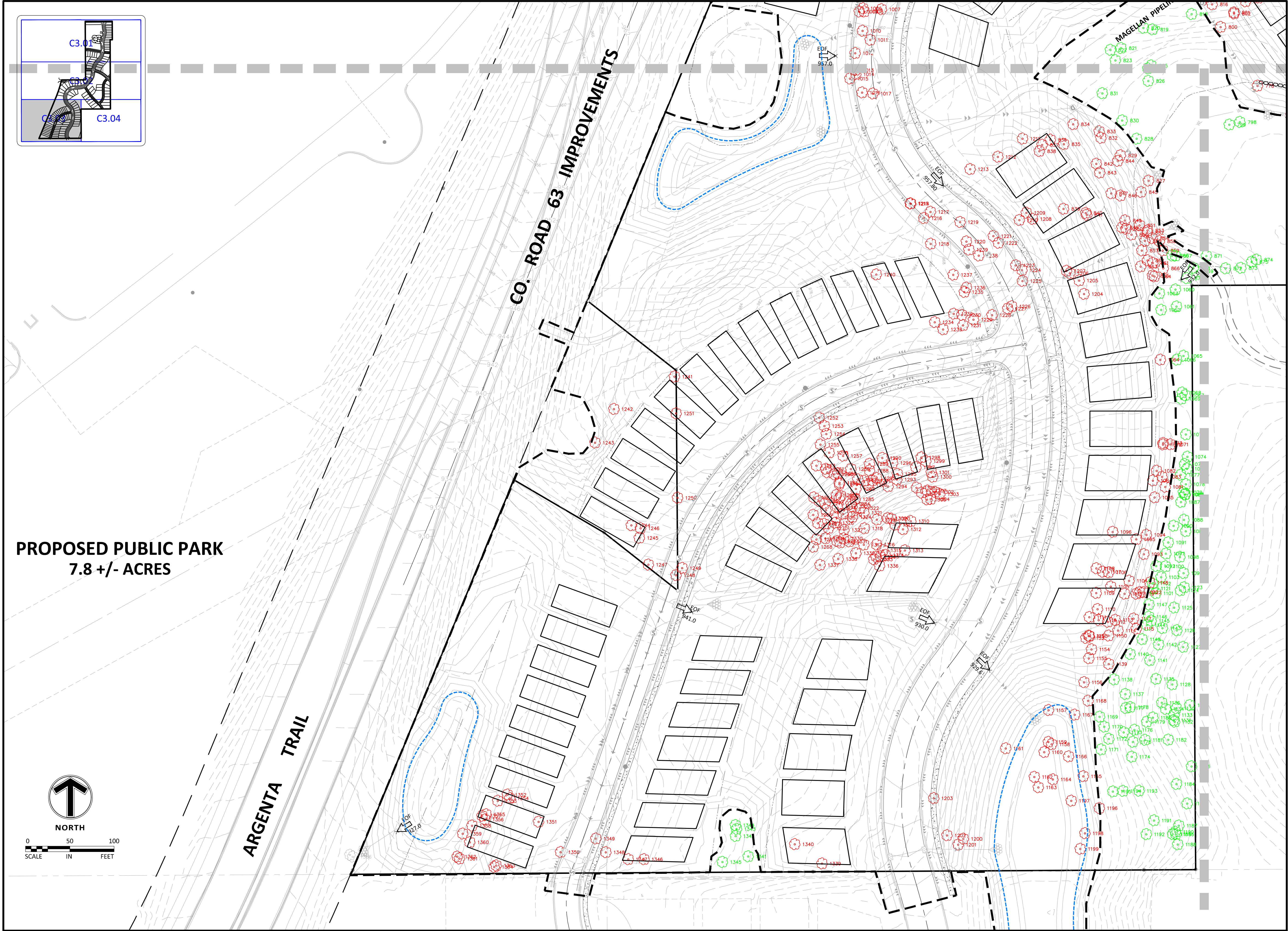
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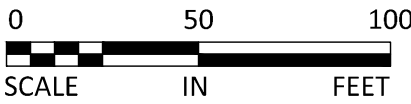
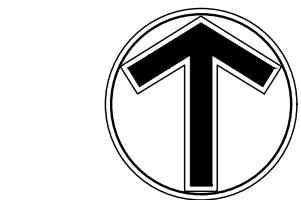
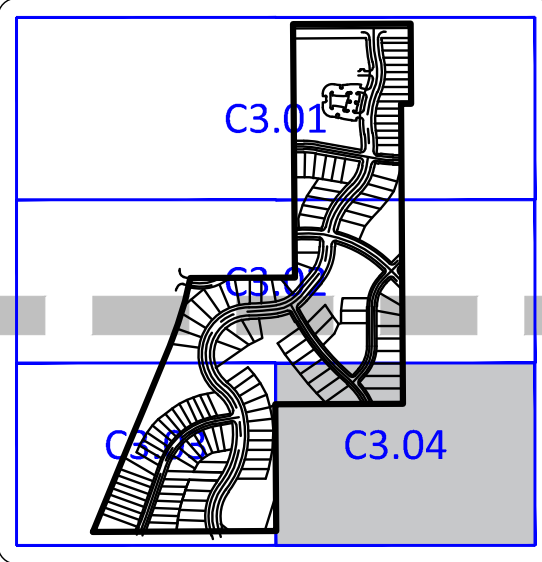
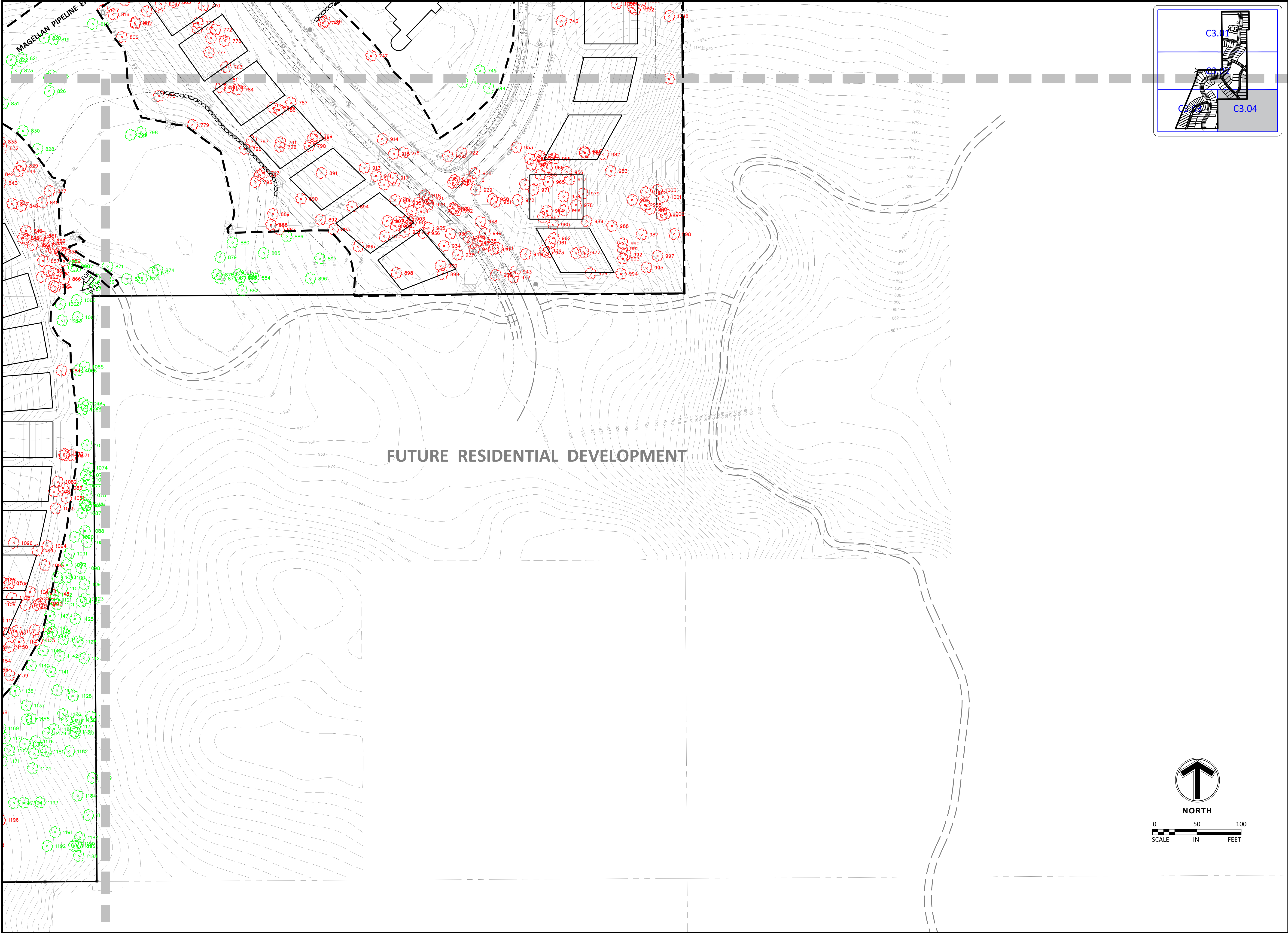
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Sheet Title
TREE
INVENTORY

Sheet No. Revision
L0.03

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Client



Project
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Joshua McKinney
Registration No. 53234 Date: 02/05/2021

This certification is not valid unless wet signed in blue ink. If applicable, contact us for a wet signed copy of this survey which is available upon request at Sambatek, Minnetonka, MN office.

Summary

Designed: JEB Drawn: CIS
Approved: ETL Book / Page:
Phase: PRELIMINARY Initial Issue: 02/16/2021

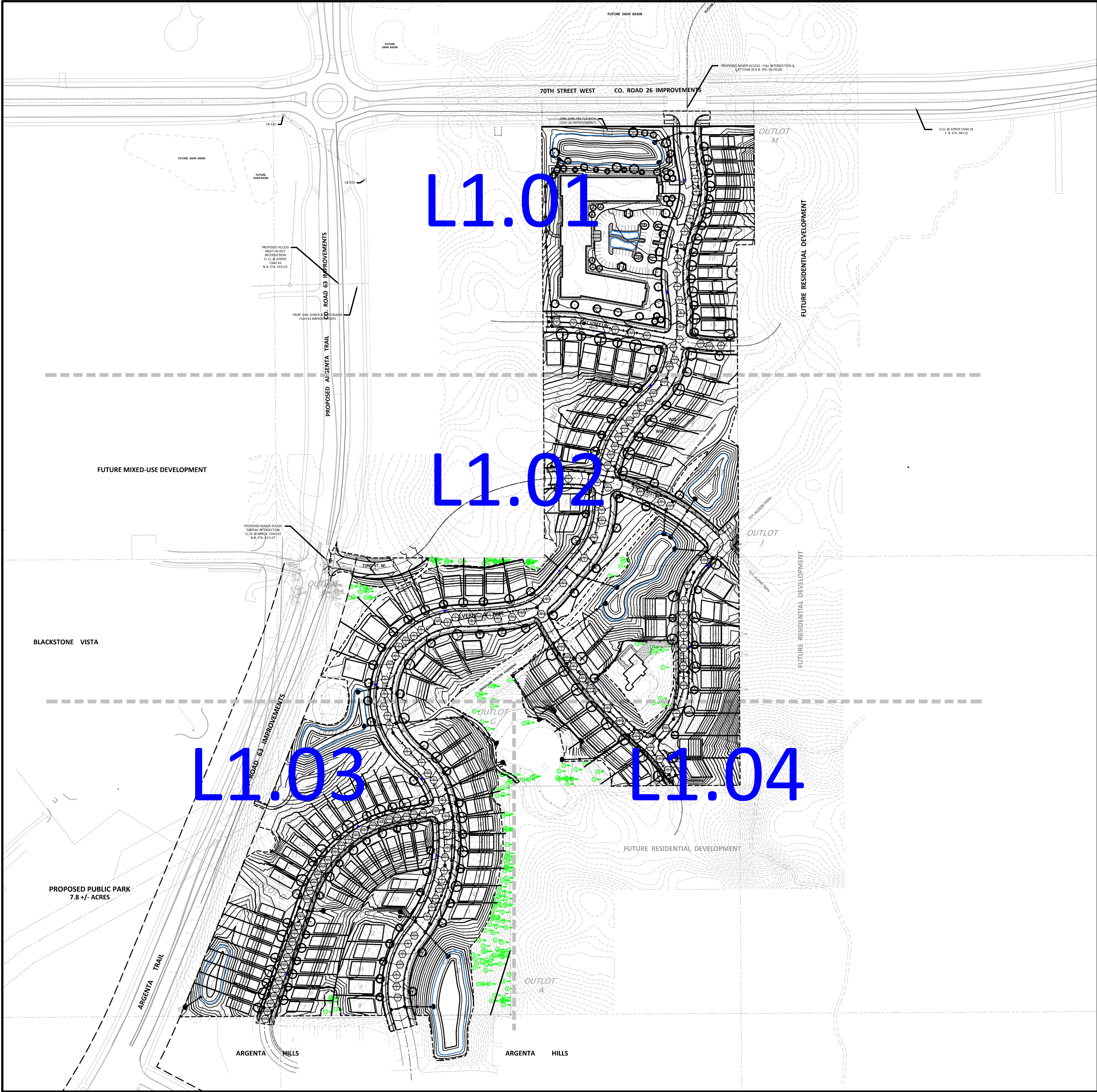
Revision History

No.	Date By	Submittal / Revision
02/16/21		CITY SUBMITTAL
03/02/21		PLANNING COMMENTS

Sheet Title
TREE
INVENTORY

Sheet No. Revision
L0.05

Project No. 22425



LEGEND

PROPOSED

EXISTING

PROPERTY LIMIT

CURB & GUTTER

EASEMENT

BUILDING

RETAINING WALL

WETLAND LIMITS

TREELINE

LANDSCAPE EDING

STORM SEWER

SANITARY SEWER

FORCEMAIN (SAN.)

WATERMAIN

YARDRAIN

LIMITS OF DISTURBANCE

TREE PROTECTION FENCE

SIGN

PIPE BOLLARD

RIPRAP

STANDARD DUTY ASPHALT PAVING

CONCRETE PAVING

CONCRETE SIDEWALK

INVER GROVE HEIGHTS STREET TREES

SEC.11-3-11 STREET TREES

(1) STREET TREES SHALL BE PLANTED NOT LESS THAN FORTY FEET (40') APART WITH MINIMUM OF ONE TREE PER LOT. THEY SHALL BE PLACED FIVE FEET (5') TO SEVEN FEET (7') INSIDE THE PROPERTY LINE AND NOT IN THE SIDE STRIP OR BOULEVARD. NO TREES SHALL BE PLANTED WITHIN THIRTY FEET (30') OF THE INTERSECTION OF CURB LINES ON CORNER LOTS. THE MINIMUM SIZE SHALL MEASURE ONE AND ONE-HALF INCHES (1.5") IN DIAMETER AT GROUND LINE. NO TWO (2) CONSECUTIVE TREES SHALL BE OF THE SAME TYPE OR VARIETY, AND ONLY THOSE APPROVED BY THE CITY ENGINEER WILL BE USED.

STREET TREES (ONE PER LOT):

REQUIRED

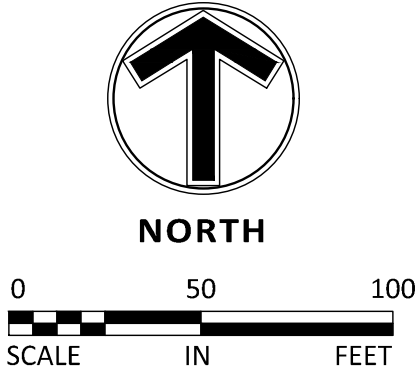
124

PROPOSED

147

TREE SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	QTY
	SG	Acer freemanii 'Sienna Glen' / Sienna Glen Maple	B & B	2.5"Cal	26
	AFB	Acer x freemanii 'Ballston' TM / Matador Freeman Maple	B & B	2.5"Cal	36
	GDU	Gymnocladus dioica 'UMNSynergy' TM / True North Kentucky Coffeetree	B & B	2.5"Cal	22
	BO	Quercus macrocarpa / Burr Oak	B & B	2.5"Cal	17
	BL	Tilia americana 'Boulevard' / Boulevard Linden	B & B	2.5"Cal	26
	UAV	Ulmus americana 'Valley Forge' / Valley Forge American Elm	B & B	2.5"Cal	20



www.sambatek.com

12800 Whitewater Drive, Suite 300

Minnetonka, MN 55343

763.476.6010 telephone

763.476.8532 facsimile

Engineering | Surveying | Planning | Environmental

Client

Project

PELTIER

RESERVE

Location
INVER GROVE
HEIGHTS, MN

Certification

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

PRELIMINARY

Joshua McKinney

Registration No. 53234

Date: 02/05/2021

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Approved: ETL

Book / Page:

Phase: PRELIMINARY

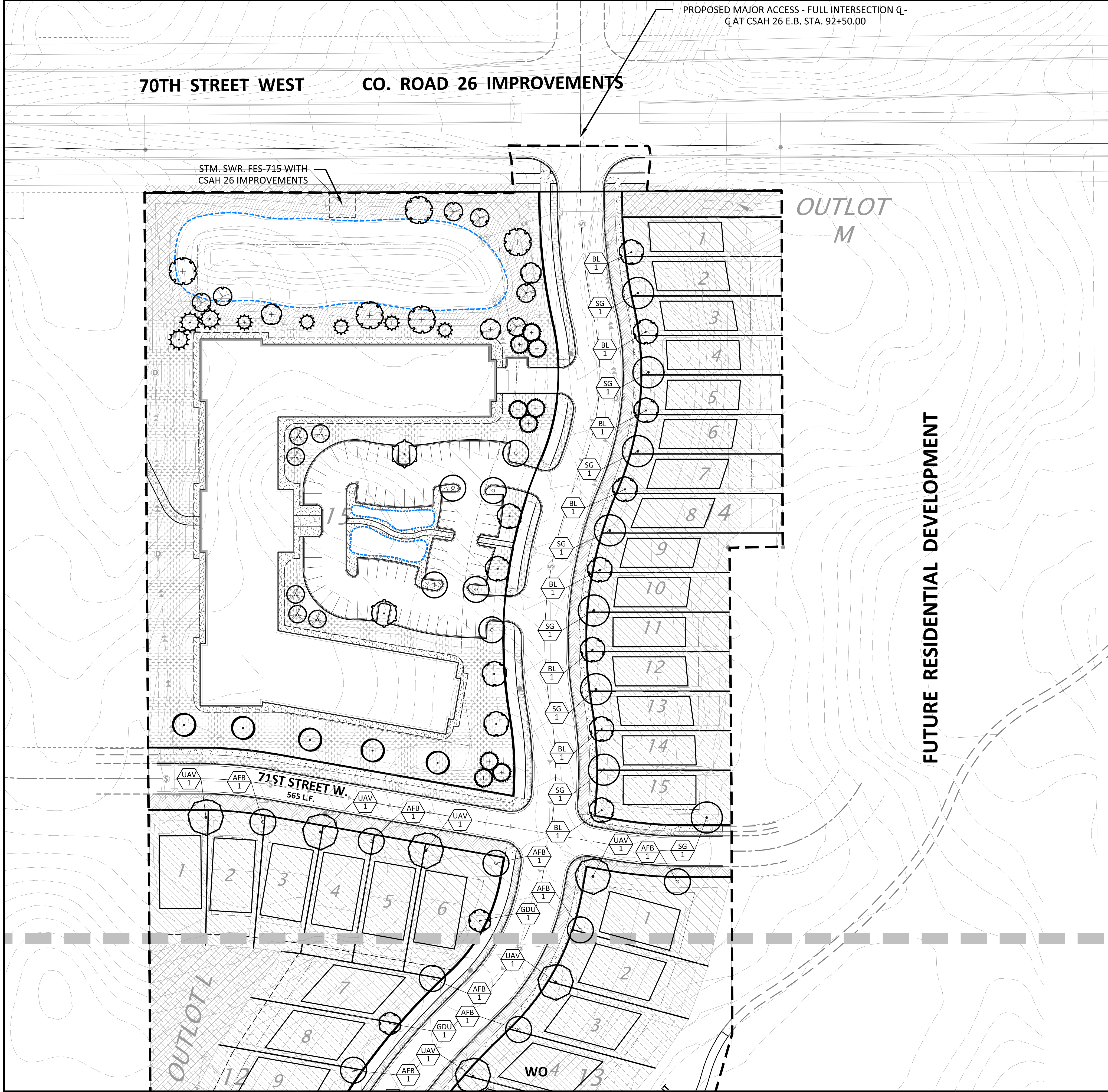
Initial Issue: 02/16/2021

Revision History		
No.	Date By	Submittal / Revision
02/16/21		CITY SUBMITTAL
03/02/21		PLANNING COMMENTS

Sheet Title
LANDSCAPE
PLAN -
OVERVIEW

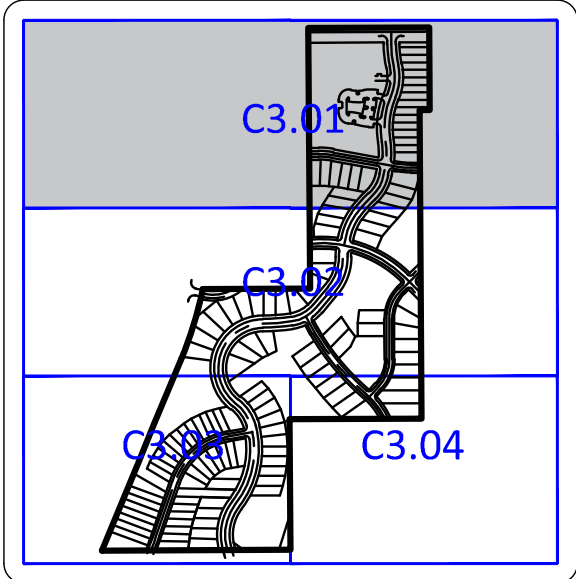
Sheet No. Revision
L1.00

Project No. 22425



LEGEND

	PROPOSED	EXISTING	
PROPERTY LIMIT	---	---	STANDARD DUTY ASPHALT PAVING
CURB & GUTTER	---	---	CONCRETE PAVING
EASEMENT	---	---	CONCRETE SIDEWALK
BUILDING	---	---	
RETAINING WALL	---	---	
WETLAND LIMITS	---	---	
TREELINE	---	---	
LANDSCAPE EDGING	---	---	
STORM SEWER	---	---	
SANITARY SEWER	---	---	
FORCEMAIN (SAN.)	---	---	
WATERMAIN	---	---	
YARDDRAIN	---	---	
LIMITS OF DISTURBANCE	---	---	
TREE PROTECTION FENCE	---	---	
SIGN	---	---	
PIPE BOLLARD	---	---	
RIPRAP	---	---	



INVER GROVE HEIGHTS LANDSCAPE CODE

SEC.10-15-11 LANDSCAPING

A3(B) MULTI-FAMILY RESIDENTIAL SITE SHALL, AT A MINIMUM, ONE TREE PER DWELLING UNIT.
(2) AND EQUIVARIANT OF UP TO 50% OF THE REQUIRED NUMBER OF OVERSTORY TREES MAY BE CREATED WITH OTHER LANDSCAPE DESIGN ELEMENTS AT A RATIO OR 6 SHRUBS TO 1 OVERSTORY TREE AND/OR 2 ORNAMENTAL TREES TO ONE OVERSTORY TREE.

REQUIRED OVERSTORY TREES (180 UNITS):	REQUIRED
A. MINIMUM OVERSTORY TREES:	180
B. MAXIMUM SHRUBS (PERTAINING TO CODE REQUIREMENTS: APPROXIMATE AVAILABLE SHRUB BED AREA (12,897 SF)	90
C. MAXIMUM ORNAMENTAL TREES ALLOWED:	540
	180

GROUND COVER SCHEDULE

PLANT SCHEDULE			
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT	SPACING
SHRB	Foundation plantings / SHRUB AREA	#5 Cont.	36" o.c.
GROUND COVERS			
CODE	BOTANICAL / COMMON NAME	CONT	
22-111	MNDOT Seed Mix 21-111 / 2 yr Turf Stabilization Mix	Seed	
25-131	MNDOT Seed Mix 25-131 / Low Maintenance Fescue mix	Seed	
25-151	MNDOT Seed Mix 25-151 / High Maintenance Turf	Seed	
35-221	MNDOT Seed Mix 35-221 / Dry Prairie General	Seed	
TUR HIG	Turf Sod Highland Sod / Sod	Sod	

Client



Builders
LOT GROUP

Project
**PELTIER
RESERVE**

Location
**INVER GROVE
HEIGHTS, MN**

Certification

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Joshua McKinney
Registration No. 53234 Date: 02/05/2021

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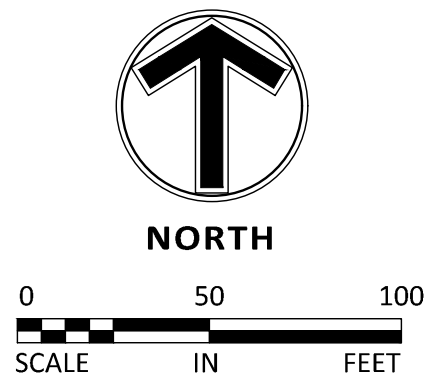
Revision History

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03/02/21		PLANNING COMMENTS

Sheet Title
**LANDSCAPE
PLAN**

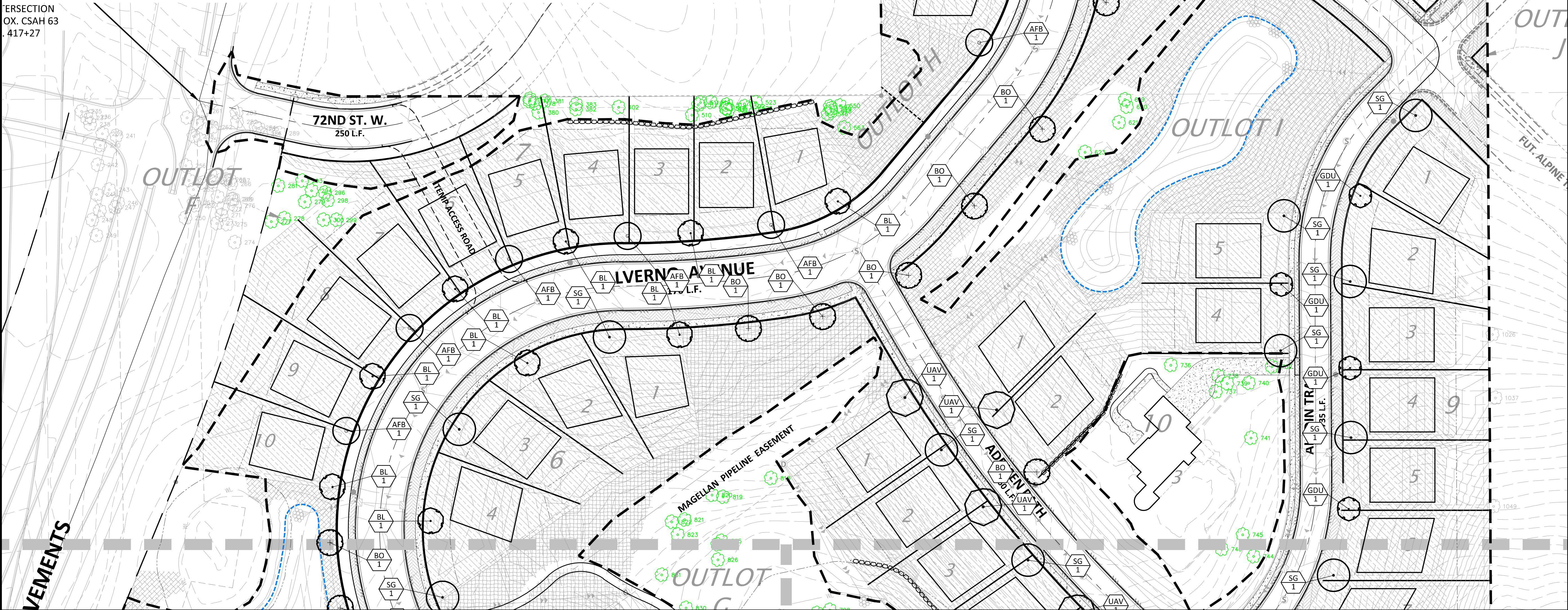
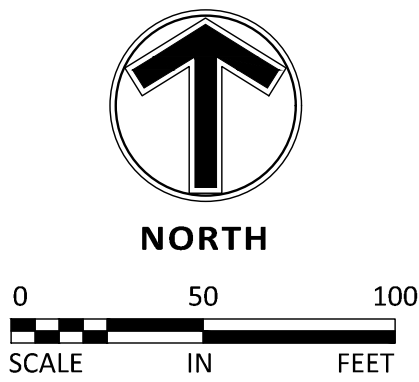
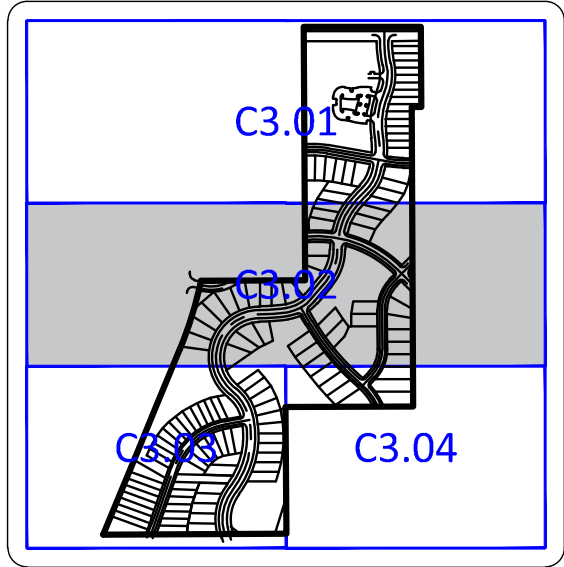
Sheet No. Revision
L1.01

Project No. 22425



PLANT SCHEDULE				
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT	SPACING	
SHRB	Foundation plantings / SHRUB AREA	#5 Cont.	36" o.c.	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	
	22-111	MNDOT Seed Mix 21-111 / 2 yr Turf Stabilization Mix	Seed	
	25-131	MNDOT Seed Mix 25-131 / Low Maintenance Fescue mix	Seed	
	25-151	MNDOT Seed Mix 25-151 / High Maintenance Turf	Seed	
	35-221	MNDOT Seed Mix 35-221 / Dry Prairie General	Seed	
	TUR HIG	Turf Sod Highland Sod / Sod	Sod	

PROPOSED	EXISTING	
PROPERTY LIMIT	=====	
CURB & GUTTER	=====	STANDARD DUTY ASPHALT PAVING
EASEMENT	-----	
BUILDING	=====	CONCRETE PAVING
RETAINING WALL	=====	
WETLAND LIMITS	=====	CONCRETE SIDEWALK
TREELINE	=====	
LANDSCAPE EDGING	=====	
STORM SEWER	=====	
SANITARY SEWER	=====	
FORCEMAIN (SAN.)	=====	
WATERMAIN	=====	
YARDDRAIN	=====	
LIMITS OF DISTURBANCE	=====	
TREE PROTECTION FENCE	=====	
SIGN	=====	
PIPE BOLLARD	=====	
RIPRAP	=====	



12800 Whitewater Drive, Suite 300
Minnetonka, MN 55343
763.476.6010 telephone
763.476.8532 facsimile

Engineering | Surveying | Planning | Environmental

Client



Builders
LOT GROUP

Project PELTIER RESERVE

Location
INVER GROVE
HEIGHTS, MN

Certification

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

Joshua B. Kinney
Registration No. 53234 Date: 02/05/2021

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Summary

Designed: JEB Drawn: CJS
Approved: ETL Book / Page:
Phase: PRELIMINARY Initial Issue: 02/16/2021

Revision History

No.	Date By	Submittal / Revision
02/16/21		CITY SUBMITTAL
03/02/21		PLANNING COMMENTS

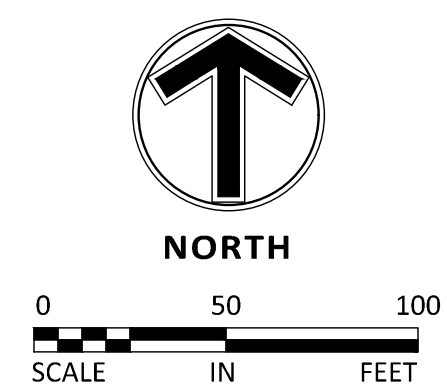
Sheet Title
**LANDSCAPE
PLAN**

Sheet No. Revision
L1.02

Project No. 22425

GROUND COVER SCHEDULE

PLANT SCHEDULE			
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT	SPACING
SHRB	Foundation plantings / SHRUB AREA	#5 Cont.	36" o.c.
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT
	22-111	MNDOT Seed Mix 21-111 / 2 yr Turf Stabilization Mix	Seed
	25-131	MNDOT Seed Mix 25-131 / Low Maintenance Fescue mix	Seed
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	TUR HIG	Turf Sod Highland Sod / Sod	Sod



Client



Builders
LOT GROUP

Project PELTIER RESERVE

Location
INVER GROVE
HEIGHTS, MN

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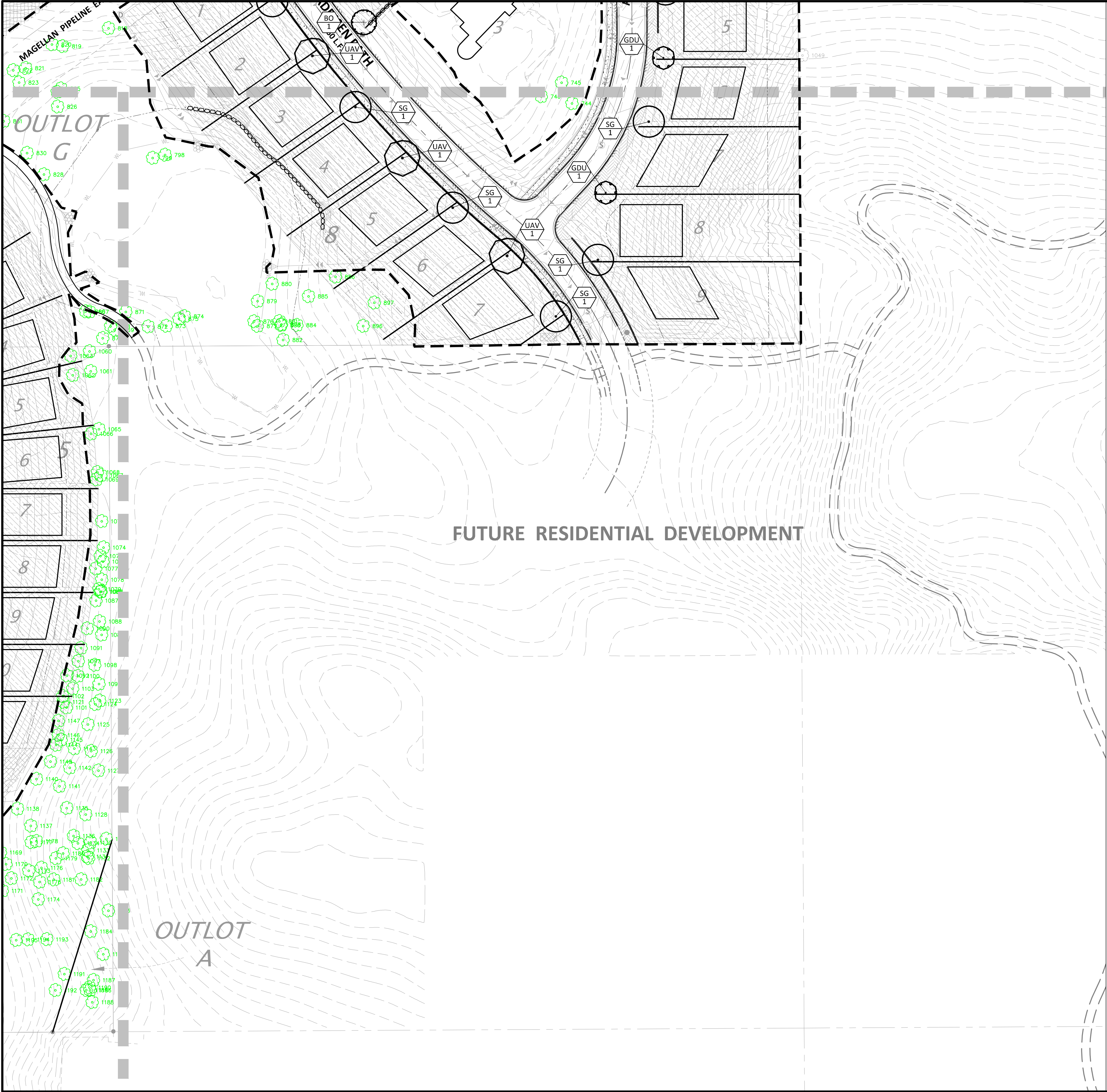
Sheet Title

LANDSCAPE

PLAN

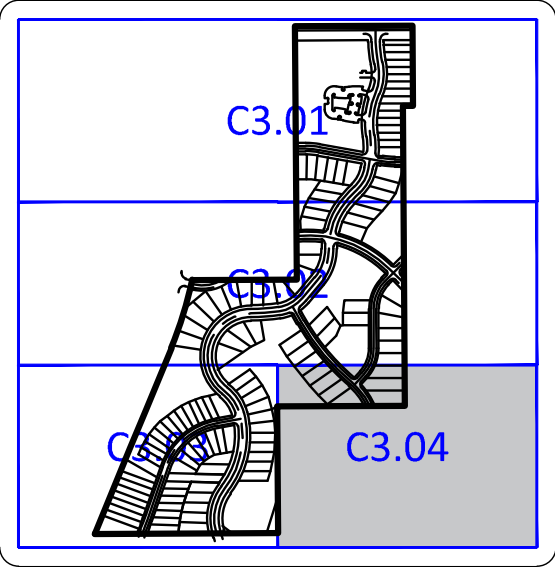
Sheet No. Revision
L1.03

Project No. 22425



LEGEND

	PROPOSED	EXISTING	
PROPERTY LIMIT			STANDARD DUTY ASPHALT PAVING
CURB & GUTTER			CONCRETE PAVING
EASEMENT			CONCRETE SIDEWALK
BUILDING			
RETAINING WALL			
WETLAND LIMITS			
TREELINE			
LANDSCAPE EDING			
STORM SEWER			
SANITARY SEWER			
FORCEMAIN (SAN.)			
WATERMAIN			
YARDDRAIN			
LIMITS OF DISTURBANCE			
TREE PROTECTION FENCE			
SIGN			
PIPE BOLLARD			
RIPRAP			



GROUND COVER SCHEDULE

PLANT SCHEDULE			
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SHRB	Foundation plantings / SHRUB AREA	#5 Cont.	36" o.c.
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	35-221	MNDOT Seed Mix 35-221 / Dry Prairie General	Seed
	TUR HIG	Turf Sod Highland Sod / Sod	Sod

Client



Builders LOT GROUP

Project PELTIER RESERVE

Location INVER GROVE HEIGHTS, MN

Certification

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02/16/21		CITY SUBMITTAL
03/02/21		PLANNING COMMENTS

Sheet Title LANDSCAPE PLAN

Sheet No. Revision L1.04

Project No. 22425

Allan Hunting

From: Rebecca Kiernan
Sent: Wednesday, March 31, 2021 10:28 AM
To: Allan Hunting; Kim Fox
Cc: Heather Rand; Heather Botten
Subject: FW: Builder Lot Group (Peltier Reserve) - Public Hearing Notice and Associated Materials

Not sure whose project this is. Please include in your agenda item.

Becky

From: Samantha Fitzgerald <skfitzgerald@gmail.com>
Sent: Tuesday, March 30, 2021 2:00 PM
To: Rebecca Kiernan <rkiernan@ighmn.gov>
Subject: Builder Lot Group (Peltier Reserve) - Public Hearing Notice and Associated Materials

Hello,

Please see my comments. If there is another way I should be sending this in ahead of the 4/7 public hearing please let me know.

I'm writing to state my overall support for the Peltier project. It seems like the proposed plan is what was always in line for the long term goals for this section of land.

The caveat to the support however is the lack of a park in the development and lack of any planning of a park in the Southeast area of the north west quadrant. The Capstone and Robert Thomas neighborhoods are nearing a decade of existence and while the city took the developer fees instead of a dedicated park space it does not mean this area is still not in desperate need of a park.

We all are aware that there is a park being proposed on the west side of Argenta however the amount of homes this is meant to be serviceable for is astronomical. With so much residential in the NW area going up each quadrant needs its own dedicated park. The City has stated that fact numerous times. Neighborhood parks are an essential part of a dynamic city and quality of life for residents.

If the city doesn't feel the need to ask the developer to include a neighborhood park in this development, the Capstone and Robert Thomas neighborhoods would like to see a detailed plan for a park in the SE quadrant. Most of these residents have been waiting nearly a decade and many children have grown up without a park. It goes without saying that people moving into the Peltier development would like a neighborhood park as well, not counting the one for the Blackstone neighborhood as this will be the only park in an area for literally thousands of adults and children.

Residential development is great and generally supported, however this area is quickly becoming densely populated and more community spaces, parks, recreational opportunities and retail spaces need to be top priority and not an afterthought.

Samantha Fitzgerald

7668 Addisen Path

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.

Rebecca Kiernan | City Clerk

Tel: (651) 450-2513

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

rkiernan@ighmn.gov | www.ighmn.gov

BUILDERS LOT GROUP, LLC

9531 West 78th Street, Suite 135
Eden Prairie, MN 55433

NARRATIVE FOR PELTIER RESERVE APPLICATION SUBMITTAL

Site Information and Ownership

Current Owner: James Peltier
Property Address 7250 Argenta Trail, Inver Grove Heights, MN 55077
Property IDs: 20-00700-06-014, 20-00700-05-012, 20-00700-04-010

Development Team

Applicant & Developer: Builders Lot Group, LLC., Melvin Moore, Steven Soltau, Dwayne Sikich
Single-Family Builders: To be Determined.
Multifamily: Oppidan Investment Company, Ian Halker
Civil Engineer: Sambatek Inc., Eric Luth

Builders Lot Group, LLC is pleased to present to the City of Inver Grove Heights its proposal for the development of land currently owned by James Peltier. Peltier Reserve is a 47-acre site located and located south of 70th Street, east of Argenta Trail and northerly of Argenta Hills. The proposal consists of a One Hundred Twenty-Four (124) single family lots, and a multi-family component adjacent to 70th Street, for approximately 180 market rate, rental units. The neighborhood will be accessed through the extension of Alverno extending from Argenta Hills at the south end to 70th at the north end of the development. There will also be access off Argenta Trail (Co. Rd. 63) at the proposed 72nd Street connection, east and west are future connections also provided for according to the NW Area Collector Street Report. Additionally, the proposal contains natural areas and green spaces which will be maintained by an association created to manage those assets. The single-family portions of the proposal will contain both low and medium density areas to comply with zoning and the NW Area Overlay District requirements. One of the goals of the project is to provide variety of additional housing options in Inver Grove Heights, at varying price points. The proposal requires rezoning of the property and approval of a PUD as part of the Northwest Area Overlay District.

Construction partners for the single-family homes will offer a range of homes from approximately 2,200 Sq.Ft to over 4,000 Sq.Ft. with multiple elevations and floor plans. The development offers distinctive neighborhoods with a variety of housing types with options including single-level, multi-level, and two-story homes with 2 & 3-car garages and typically 3-6 bedrooms. Sample elevations are attached as part of this application.

The Development partner for the apartment complex is Oppidan Investment Company. Oppidan is an experienced, successful developer of different multi family facilities and works with experienced experts beginning with proper market studies, and design and following through construction and operation. Their experience in this portion of Peltier Reserve will be an important part of the success in pursuing the variety of housing options as desired by the Northwest Area Overlay.

It is anticipated that grading operations could commence following preliminary plat approval with street and utility construction in the late summer and fall of 2021. Home construction will begin with early models and spec. homes to allow opening with the completion of utilities and initial road construction. Depending on market demand, full buildout is anticipated in approximately 36 months following this commencement of construction.

Peltier Reserve will be a very traditional single-family neighborhood with publicly owned and maintained streets and utilities built to city specifications. Sidewalks and trails will be located within public rights-of-way or deeded to the City of Inver Grove Heights. We will also work with staff on any temporary turnarounds or stubs that will be extended with future development.

A neighborhood meeting for the proposal was conducted on February 4, 2021, via Zoom, for this project and we received significant, valuable input from the community. The plan for development presented to the neighbors and a discussion related to various factors was engaged in with the participants. Many of the points raised by the community were valuable in the final design proposal and Builders Lot Group, LLC is in agreement with many points raised. A summary of the comments and points of discussion from that meeting are also submitted with the application.

**PELTIER RESERVE
COMMUNITY MEETING, FEBRUARY 4th, 2021**

The planned neighborhood meeting for Peltier Reserve was held on February 14th, 2021 via zoom and the following is a summation of the general comments received at that meeting. There were approximately 17 neighbors that attended all or a portion the recorded virtual meeting.

1. Information was requested from a neighbor regarding the timing of the preliminary plat and February 16th was confirmed as the approximate submittal date.
2. Various general comments were made regarding the density and general design of the proposal. Density was addressed and discussed by reference to the NW Area requirements of the city of Inver Grove Heights.
3. Significant concerns from multiple residents were raised regarding the main north/south street (Alverno Avenue) through the project with respect to size of the road and a potential 45 mile per hour speed limit on that road. Several neighbors expressed concerns related to small children in the Argenta Hills neighborhood and playing in the streets. Questions were raised about how the developer could help lower the 45 mile an hour speed limit. Additionally, the question of whether stop signs would be appropriate on that street was discussed and that is a city question which would be addressed by the city.
4. Concern related to the main street was also raised with respect to potential parking on the street and concerns that it was designated for too high of a speed limit for parking to be appropriate.
5. The issue of land dedication for parks as opposed to a park dedication fee was raised and that issue was discussed with the neighbors. It is understood at this point that the city is requesting funds rather than land for park dedication purposes.
6. Question was raised with respect to who owns the property. James Peltier currently owns the property.
7. A concern was raised with regard to 70th Street (Co. Rd. 26) access on the North side of the project and a potential of frontage road through that area.
8. An additional concern was raised regards with the topography within the proposed plat and as it relates to the property immediately to the East of the northerly portion of the proposal. Concern was expressed regarding how construction would occur in that area. Developer responded that all construction would be reviewed and completed in compliance with engineering requirements from the city of Inver Grove Heights.
9. A concern was raised with respect to the density of the units in the Southwest corner of the proposal. A neighbor from the adjoining subdivision requested low density rather than proposed medium density to conform better with their neighborhood. Discussion continued confirming that the density was a requirement for city purposes.
10. A question was raised with respect to the apartments that are proposed on the northern portion of the development adjacent to 70th Street, it was confirmed that they will be market-rate rents. A question regarding low-income rentals being a possibility of being included within the project was raised. Additionally one of the neighbors indicated that the city has funds available to assist in low-income rental properties.
11. A question was raised with respect to the water and infiltration ponds and whether they could be used for Parklands rather than infiltration. Discussion regarding the need for the infiltration ponds and at the word infiltration ponds as opposed to a water holding pond.
12. A question was raised with respect to whether the project would be completed in phases and the developer responded that it is tentatively a single-phase development.

13. A concern was raised regarding the alignment of Alverno Avenue as it goes through the property with the street and meet 70th St and its extension to the North. Additionally, inquiries were made as to why the main road was necessary adjacent to Argenta Trail.
14. The developer confirmed sidewalks and or trails are included within the proposed work.
15. The timing of construction of the work was discussed and that may be occurring concurrently with the Dakota County's work on 70th Street and Argenta Trail.
16. The timeline for construction of new homes was discussed. Additionally, it was noted that most likely two to three builders will build lots and construct homes according to the developer and City's architectural requirements and that no lot sales would be outside of that builder group.
17. Questions regarding to what builders would be brought in were raised. No final commitments have been made at this stage but parties being discussed were Robert Thomas Homes, Fieldstone Family Homes and Distinctive Custom Homes.
18. The timeline for construction was discussed. Development work would hopefully start and continue through spring and summer while buildable lots would be available to builders in September or October of 2021.
19. The proposed set back estimates were discussed, and details were given based upon the current conceptual plan available.
20. Various proposed layouts for the project were discussed and it was indicated that the current proposal is Concept Plan #8. Previous concept plans were shared and were discussed briefly which show varying street alignments and lot sizes which for one reason or another were not compliant with requirements.
21. The density issue was discussed again, and it was discussed that it is based upon the city's comprehensive plan and the zoning requirements of the city of Inver Grove Heights.
22. The existing pipeline easement that runs through the proposal was discussed and its potential impact on various homesites was observed.
23. The potential for an additional park was discussed and discussion was had regarding the city requirements on that issue.
24. The storm water and sanitary sewer plan was discussed and how it would impact other properties in the area that are still on well in septic systems. The discussion revolves around the infiltration ponds and that they are designed to recharge the aquifer in the area and that all construction would be done in compliance with all engineering and watershed district requirements if any.
25. A concern regarding a crosswalk offsite was raised to cross Hwy 55. Off-site improvements are outside of the scope of this proposal.



Swing Traffic Solutions

March 15, 2021

**To: Steve Soltau
Melvin Moore
Dwayne Sikich**

From: Vernon Swing, PE

Re: Peltier Reserve, Inver Grove Heights, MN

Per your request, Swing Traffic Solutions, LLC has conducted a traffic study for the proposed Peltier Reserve residential development in Inver Grove Heights, MN. The 48.15 acre Peltier Reserve site is located adjacent to south side of 70th Street W (CSAH 26), to the east of and adjacent to Argenta Trail (CSAH 63) and to the north of Amana Trail. (See Figure 1, Vicinity Map). The proposed development will include a midrise multi-family building in the northwestern portion of the site with 180 units, and 124 single family houses throughout the remainder of the site. Access to the site is planned via an extension of Alverno Avenue from 70th Street southward to connect to with Amanda Trail, and via an extension of 72nd Street eastward from Argenta Trail to the eastern property line. (See Figure 2, Site Plan).

The goal of this traffic analysis is to review the roadway capacity and determine the ability of the future infrastructure to manage the potential development traffic. In this case, the year 2025 is studied as it represents the year after completion and occupancy of the proposed development. Specifically, the study includes the following intersections:

- 70th Street W and (Future) Alverno Avenue
- 70th Street W and (Newly Aligned) Argenta Trail
- Argenta Trail and 72nd Street W
- Argenta Trail and Amana Trail
- Amana Trail and Alverno Avenue

This memorandum documents the existing conditions and proposed future conditions, the site generated traffic and its distribution, and reviews the traffic operations of the 2025 No-Build and Build conditions.



Existing Conditions

The existing and future conditions of the nearby roadway system were documented by collecting turning movement traffic counts and conducting a field inventory during the week of March 1, 2020. The purpose of the inventory was to identify features that affect roadway capacity, including traffic control, sight distances, turn lanes, speed limits, etc.

Data Collection

Turning movement traffic counts were conducted, revealing the AM Peak hour occurs at 7:30 – 8:30 AM and the PM Peak hour at 4:30 – 5:30 PM at the study area intersections. Figure 3 illustrates the existing AM and PM Peak hour turning movement counts.

The COVID-19 pandemic has resulted in large reductions in vehicle trips taken for work and otherwise. Therefore, in order determine the Non-COVID impacted traffic utilizing the surrounding roadways these counts were adjusted up approximately 77 percent based on a comparison of current counts with counts taken in 2018 at the intersection of 70th Street W and Argenta Trail. Further, these counts were adjusted by 2.8 percent per year to account for growth in background traffic that may have occurred between 2018 and 2021 (discussed further under Background Growth later in this memo). Figure 4 illustrates the adjusted existing conditions.

Existing and Future Roadways/Intersections

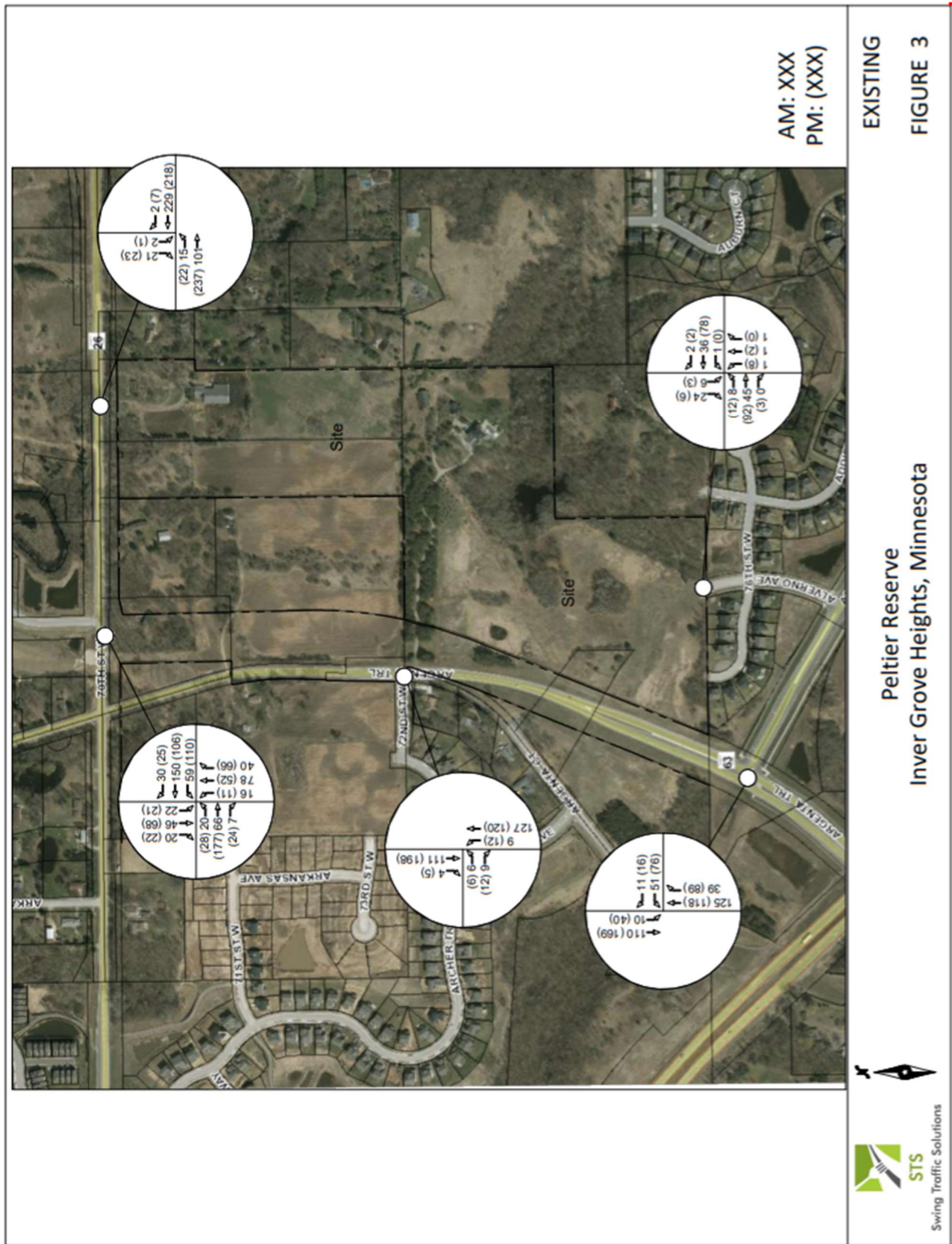
The existing/future conditions of the roadways providing direct and indirect access to the proposed development of the Peltier Reserve in Inver Grove Heights, MN were gathered and reveal the following:

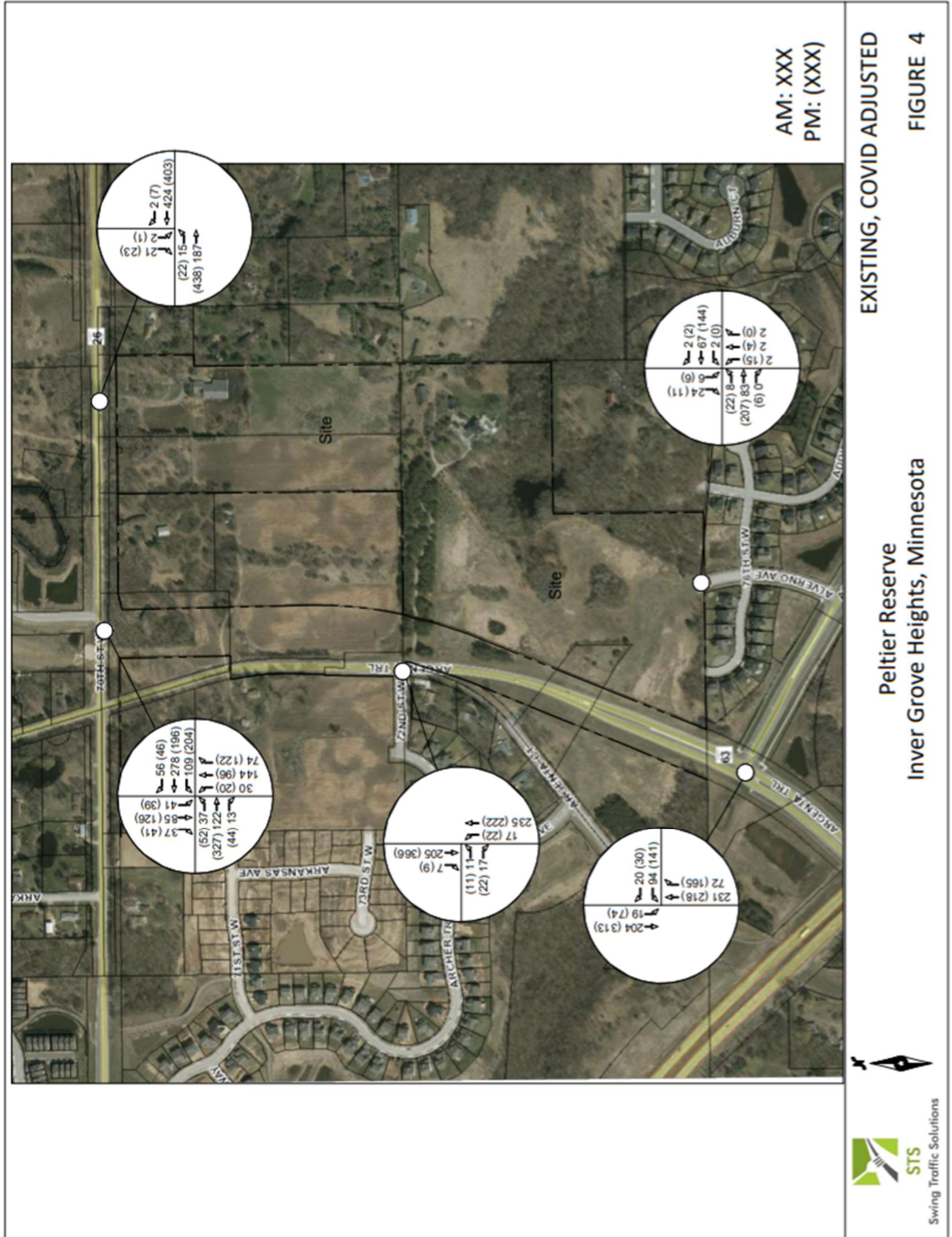
- *70th Street W and Alverno Avenue* – 70th Street W is currently a 2-lane road and is expected to be upgraded to a 4-lane divided facility by 2025. This intersection is a future four-legged, minor-approach stop-controlled intersection. The east and west major approaches provide two through lanes and dedicated right and left turn lanes in each direction. The north and south minor approaches provide a dedicated left turn lane and one shared through/right turn lane. Alverno Avenue is expected to be a 30 mph road and 70th Street W will be signed for 50 mph at this location. (It is noted, this analysis assumes the traffic on Alverno Avenue will be similar to the existing traffic on Alverno Lane.)
- *70th Street W and Argenta Trail* – As mention 70th Street is expected to be upgraded to a 4-lane divided roadway by 2025. Also, this intersection is expected to be relocated approximately 380 feet to the east (to the approximate location of the existing Alverno Lane intersection), and will be controlled as roundabout. The north south Argenta Trail approaches are single lane divided. 70th Street W will continue to be a 50 mph facility and Argenta Trail will be a 45 mph facility.
- *Argenta Trail and 72nd Street* – This is a three-legged, minor approach stop-controlled intersection. The west approach provides one shared left/thru/right lane. Currently the north south approaches include one through lane, with the north approach including a dedicated right turn lane and the south approach including a by-pass lane. With the future realignment of Argenta Trail, the north and south approaches will be divided with one through lanes, and exclusive right and left turn lanes at this intersections. With the development of Peltier Reserve the east and west approaches will be converted to ¾ intersections with right in left in and right turn out only. The Argenta Trail approaches will be 45 mph and the 72nd Street approaches will

be 30-mph. The north and south left turn movements are permissive/protected, whereas the east and westbound approaches have permissive control only.

- *Argenta Trail and Amana Trail* – This is a three-legged, minor-approach stop-controlled intersection. The north and south major approaches are free flowing and provide two through lanes, and exclusive northbound right and southbound left turn lanes. The east minor approach provides one dedicated left and one dedicated right turn lane. Argenta Trail is signed for 45 mph and Amana Trail is signed for 45 mph.
- *Amana Trail and Alverno Avenue* – This is a four-legged, minor approach stop-controlled intersection. The free flowing east west approaches include dedicated left and right turn lanes and one through lane in each direction. The north and south approaches include dedicated left turn lanes and a shared through and right turn lane. Amana Trail is signed for 45 mph and Alverno Avenue is expected to be 30 mph.

It is noted, Alverno Avenue is designated as a neighborhood collector street but will have many characteristics of a local street including driveways and on-street parking. It is suggested, therefore, the roadway width and alignment be designed to calm traffic with a narrow footprint and a curve-a-linear alignment.





Operational Analysis

To address the impacts of specific future land development on the surrounding roadway system, it is necessary to predict the traffic that would be present on the roadway system at the time (the design year) of completion of the potential development, without the inclusion of the specific proposed development. This is considered the No-Build scenario, and serves as a basis with which to compare Build scenarios. In this study the design year analyzed is 2025, the year after the development is fully built and occupied.

Background Growth

Review of the latest City of Inver Grove Heights and Dakota County Comprehensive Transportation Plans indicate the traffic in the area is expected to increase as land development occurs. Also, traffic is expected to increase on Argenta Trail with the completion of a future interchange at I-494. Since the exact timing of the land development and the interchange is not known at this time, an annual traffic growth factor of 2.78 percent has been applied to the existing (COVID adjust) traffic counts to estimate the 2025 No-Build conditions. This growth rate is based on the traffic analysis zone forecast completed for the City's 2040 Transportation Plan, particularly for those zones adjacent to the Peltier Reserve site. It is noted this rate is likely conservative as the Institute of Transportation Engineers (ITE) and the Transportation Research Board (TRB) suggest traffic patterns will permanently change due to the impact of COVID-19 with fewer home to work and work to home trips likely to occur in the future. Figures 5 illustrates the anticipated 2025 No-Build peak hour traffic volumes.

To quantify the impacts associated with the proposed Peltier Reserve development on the surrounding roadway system, it is necessary to forecast the trip generation potential associated with development of the site, and add the potential new trips into the traffic passing the site in 2025, which will be addressed later in this study.

Intersection Capacity Analysis

The operating conditions of transportation facilities, such as roadways, traffic signals, roundabouts and stop-controlled intersections, are evaluated based on the relationship of the theoretical capacity of a facility to the actual traffic volume on that facility. Various factors affect capacity including travel speed, roadway geometry, grade, number of travel lanes, and intersection control. The current standards for evaluating capacity and operating conditions are contained in the 6th Edition of Highway Capacity Manual, published by the Transportation Research Board. The procedures describe operating conditions in terms of driver delay represented as a Level of Service (LOS). Operations are given letter designations with "A" representing the best operating conditions and "F" representing the worst. Generally, level of service "D" represents the threshold for acceptable overall intersection operating conditions during a peak hour. The Chart below summarizes the level of service and delay criteria for signalized and unsignalized intersections.

LOS Designation	Signalized Intersection Average Delay/Vehicle (Sec.)	Unsignalized Intersection Average Delay/Vehicle (Sec.)
A	≤ 10	≤ 10
B	$> 10-20$	$> 10-15$
C	$> 20-35$	$> 15-25$
D	$> 35-55$	$> 25-35$
E	$> 55-80$	$> 35-50$
F	> 80	> 50



For side street stop-controlled intersections special emphasis is given to providing an estimate for the level of service of the minor approaches. Traffic operations at an unsignalized intersection with side street stop-control can be described two ways. First, consideration is given to the overall intersection level of service. This takes into account the total number of vehicles entering the intersection and the capability of the intersection to support these volumes. Second, it is important to consider the delay on the minor approaches, since the mainline does not have to stop. It is common for intersections with higher mainline traffic volumes to experience increased levels of delay and poor level of service on the side streets.

A final fundamental component of operational analyses is a study of vehicular queuing, or the line of vehicles waiting to pass through an intersection. An intersection can operate with an acceptable Level of Service, but if queues from the intersection extend back to block entrances to turn lanes or accesses to adjacent land uses, unsafe operating conditions could result. In this report, the Industry Design Standard 95th percentile queue length is used. The 95th Percentile Queue Length refers to that length of vehicle queue that has only a five-percent probability of occurring during an analysis hour.

Detailed intersection capacity analyses have been conducted for the 2025 No-Build AM and PM peak conditions to establish a baseline for comparison with the Build conditions reflecting the completion of the project. The study intersections were analyzed using Synchro/Simtraffic software (Version 10). Result of the analysis for the 2025 AM and PM Peak hour No-Build scenarios are summarized in Table 1 and 2 respectively.

Table 1
2025 No-Build AM Peak Operations

Intersection	Level of Service and Delay (sec) ¹	Notes/95 th Percentile Queues ²
Argenta Trail & 70 th Street W	a (6.1)/a (wbt 8.5)	WB queue is forecast at 76 feet
70 th Street W & Alverno Ave	a (1.2)/a (sbl 5.3)	EBL queue is forecast at 28 feet
Argenta Trail & 72 nd Street W	a (0.9)/a (ebl 5.6)	EBR queue is forecast at 42 feet
Argenta Trail & Amana Trail	a (1.1)/a (wbl 8.8)	WBL queue is forecast at 64 feet
Amana Trail & Alverno Avenue	a (0.9)/a (nbt 4.0)	NBL queue is forecast at 23 feet

1. LOS and delay reported from SimTraffic. First letter represents intersection LOS and delay, while second letter represents worst individual approach LOS and delay.
2. 95th percentile queues are a result from an average of 10 SimTraffic simulations for the longest reported queue.

Table 2
2025 No-Build PM Peak Operations

Intersection	Level of Service and Delay (sec) ¹	Notes/95 th Percentile Queues ²
Argenta Trail & 70 th Street W	a (7.4)/b (ebt 11.3)	EBT queue is forecast at 102 feet
70 th Street W & Alverno Ave	a (1.0)/c (sbl 17.1)	EBL queue is forecast at 35 feet
Argenta Trail & 72 nd Street W	a (1.3)/a (ebl 9.2)	EBL queue is forecast at 57 feet
Argenta Trail & Amana Trail	a (3.1)/b (wbl 13.1)	WBL queue is forecast at 93 feet
Amana Trail & Alverno Avenue	a (1.1)/a (nbl 7.3)	NBL queue is forecast at 34 feet

1. LOS and delay reported from SimTraffic. First letter represents intersection LOS and delay, while second letter represents worst individual approach LOS and delay.
2. 95th percentile queues are a result from an average of 10 SimTraffic simulations for the longest reported queue.

The results in Tables 1 and 2 indicate the study area intersections are functioning at an overall LOS A and acceptable LOS D or better on all approaches with short manageable traffic queues.

Peltier Reserve Development

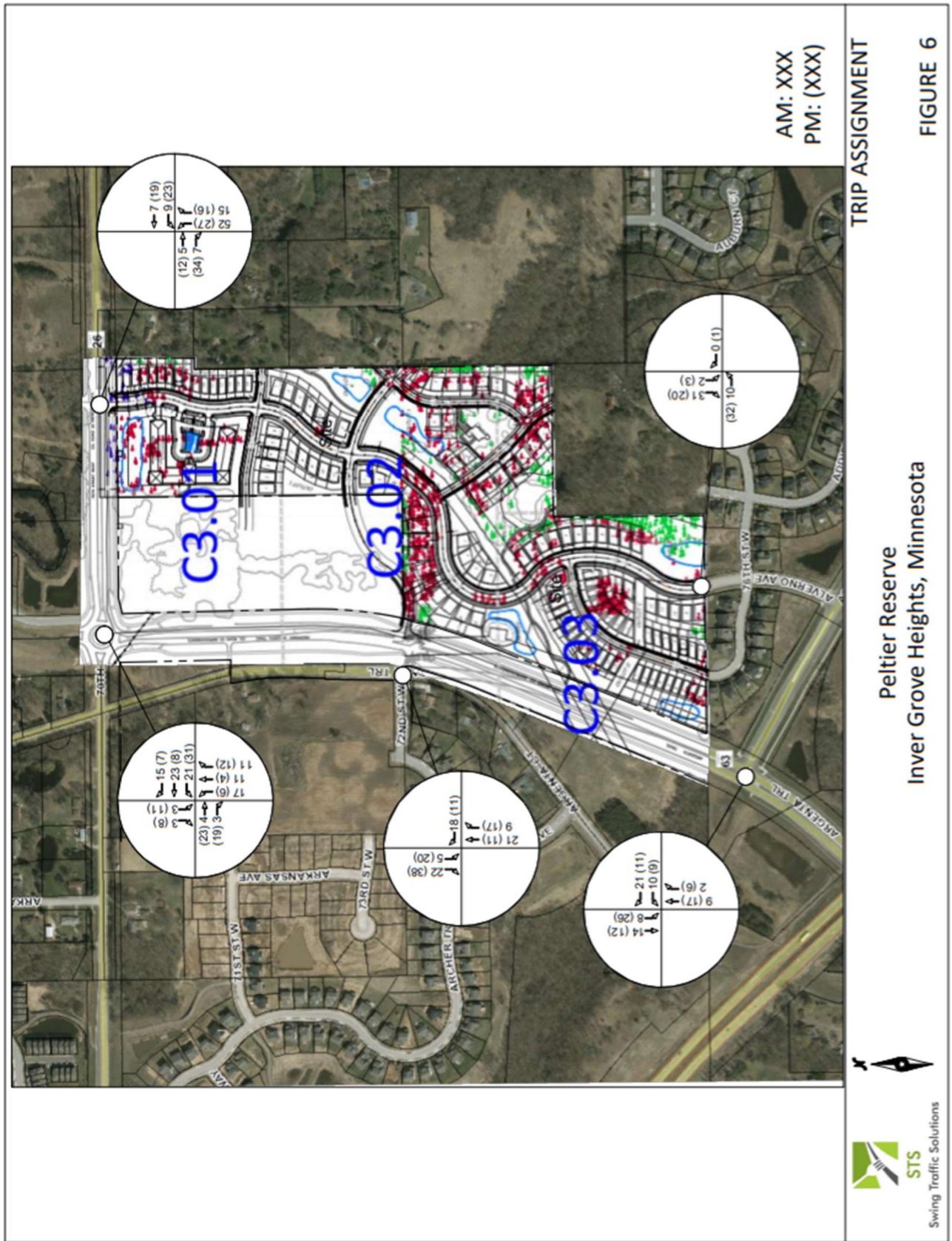
The Peltier Development is proposed to include 124 single family homes and a mid-rise multi-family building with 180 units. The forecast number of vehicle trips that could be generated by the development of the site have been estimated for the weekday daily, and AM and PM traffic peak hours using the data and methodologies contained in the 10th Edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). Table 3 summarizes the trip generation estimates.

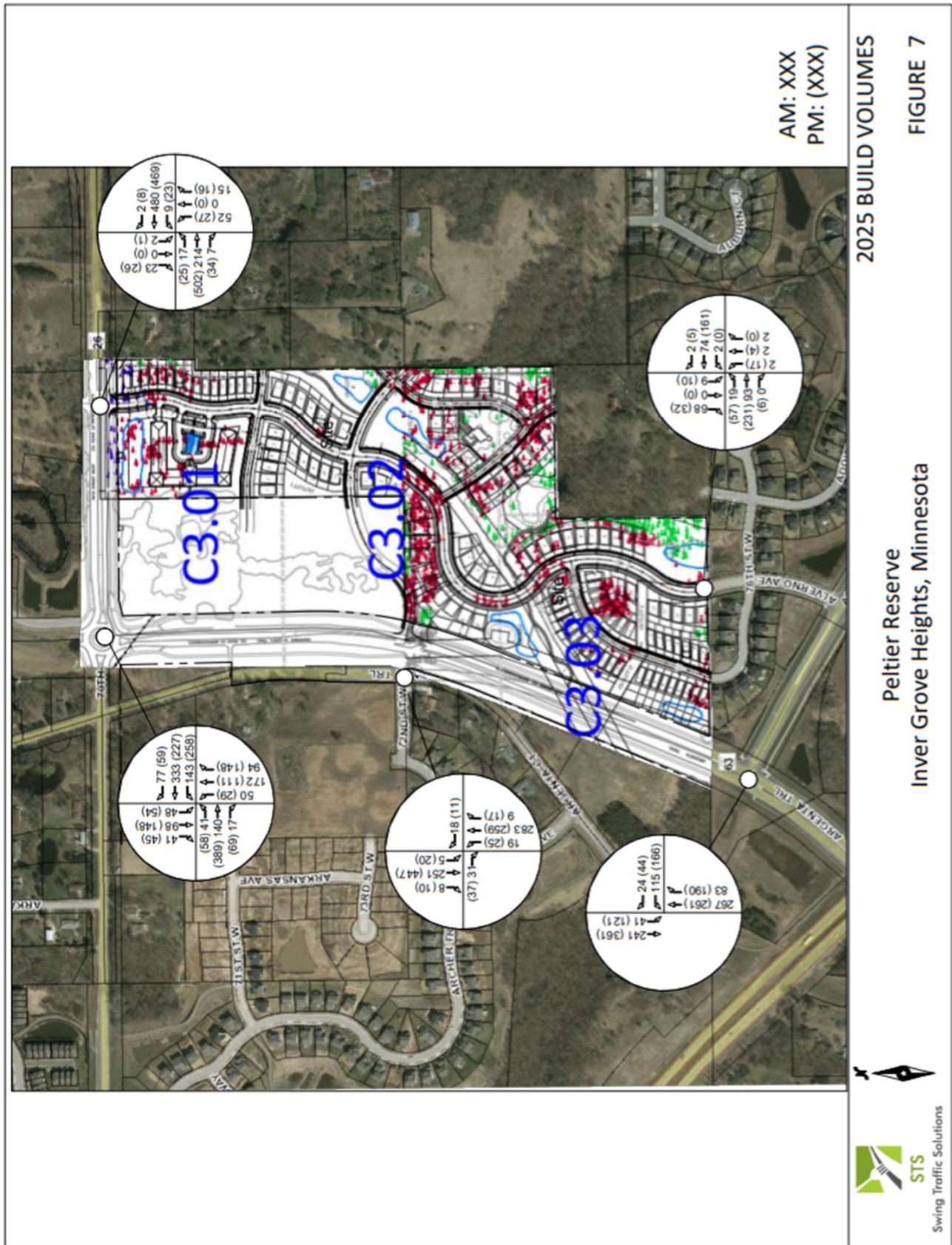
Table 3
Peltier Reserve Trip Generation

Land Use	Land Use Code	Daily Traffic	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Single Family Homes (124)	210	1,267 Trips	23 Trips	70 Trips	79 Trips	46 Trips
Mid-Rise Multi-Family (180)	221	979 Trips	17 Trips	48 Trips	48 Trips	31 Trips
TOTAL		2,246 Trips	158 Trips		204 Trips	

As shown in Table 5, the site could generate 40 entering and 118 exiting trips during the morning traffic peak hour; and 127 entering and 77 exiting trips in the during the afternoon traffic peak hour.

The forecast site generated traffic has been distributed to the study area roadway according to the existing distribution pattern. See Figure 6 Trip Assignment. This traffic has been added to the 2025 No-build traffic resulting in the 2025 Build Peak Hour traffic scenarios. See Figures 7, 2025 Build Peak Hour Traffic.





2025 Build - Traffic Operations

To determine the traffic impacts associated with the Peltier Reserve development, the traffic operations at the study area intersections has been reanalyzed with the 2025 forecast Build traffic. Once again Synchro/Simtraffic Version 10 was used for the analysis. Tables 4 and 5 below summarize the results of the 2025 AM and PM Build analyses, respectively.

Table 4
2025 Build AM Peak Operations

Intersection	Level of Service and Delay (sec) ¹	Notes/95 th Percentile Queues ²
Argenta Trail & 70 th Street W	a (6.3)/a (wbt 9.1)	WB queue is forecast at 91 feet
70 th Street W & Alverno Ave	a (1.9)/b (nbl 11.4)	NBL queue is forecast at 53 feet
Argenta Trail & 72 nd Street W	a (1.0)/a (wbr 3.4)	EBR queue is forecast at 53 feet
Argenta Trail & Amana Trail	a (1.6)/a (wbl 6.8)	WBL queue is forecast at 53 feet
Amana Trail & Alverno Avenue	a (1.2)/a (nbt 4.7)	SBR queue is forecast at 35 feet

1. LOS and delay reported from SimTraffic. First letter represents intersection LOS and delay, while second letter represents worst individual approach LOS and delay.
2. 95th percentile queues are a result from an average of 10 SimTraffic simulations for the longest reported queue.

Table 5
2025 Build PM Peak Operations

Intersection	Level of Service and Delay (sec) ¹	Notes/95 th Percentile Queues ²
Argenta Trail & 70 th Street W	a (7.9)/b (ebt 12.8)	EBT queue is forecast at 125 feet
70 th Street W & Alverno Ave	a (1.8)/d (sbl 25.8)	NBL queue is forecast at 45 feet
Argenta Trail & 72 nd Street W	a (1.3)/a (ebr 3.2)	EBR queue is forecast at 43 feet
Argenta Trail & Amana Trail	a (3.7)/c (wbl 18.6)	WBL queue is forecast at 116 feet
Amana Trail & Alverno Avenue	a (1.3)/a (nbl 7.7)	SBR queue is forecast at 33 feet

1. LOS and delay reported from SimTraffic. First letter represents intersection LOS and delay, while second letter represents worst individual approach LOS and delay.
2. 95th percentile queues are a result from an average of 10 SimTraffic simulations for the longest reported queue.

The results in Tables 7 and 8 indicate the study area intersections with the addition of the site generated traffic from the proposed Peltier Reserve site are functioning at an acceptable overall LOS A and all approaches are operating at acceptable LOS D or better, with short manageable traffic queues.

Conclusions

This study considered the traffic impacts associated with the proposed Peltier Reserve residential development, including a 180-unit multi-family development near 70th Street W and 124 single family homes on the remainder of the 48.15 acre site. The property includes accesses to 70th Street W to the north, to Amana Trail to the south, and to Argenta Trail to the west. Further, the access to 70th Street W includes the extension of Alverno Avenue from Amana Trail through the existing residential development to the south up to 70th Street W. Alverno Avenue is designated as a neighborhood collector street but will have parking on both sides and will include driveways to some of the single family residences. It is suggested that Alverno Avenue be designed with a curve-a-linear layout and narrower lanes than are typically used on collector streets to calm traffic and allow safe ingress and egress to the single family lots.

The development is forecast to generate 158 trips during the AM traffic peak hour, 204 trips during the PM traffic peak hour and 2,246 trips per day. The development is expected to be complete and occupied by 2025, and the anticipated improvements to Argenta Trail and 70th Street W are assumed to

be constructed, including the realignment of Argenta Trail, the expansion from 2 to 4 lanes on 70th Street W and the construction of a roundabout at the intersection of these two corridors.

The traffic operations of the 2025 Design year for the No-Build and Build conditions were modeled and reviewed using the methodology from the Highway Capacity Manual version 6, published by the Federal Highway Administration, as reported by Synchro/Simtraffic 10. The results indicate acceptable study area operations in terms of Level of Service and manageable vehicle queues.

In conclusion, the proposed development of the Peltier Reserve residential site has appropriate access to the surrounding roadway network and the potential addition of traffic from the development is not anticipated to significantly degrade traffic operations in the area. In other words, the roadway network serving the site will function well with the development of the property.

Please contact Vernon Swing at vswingtraffic@gmail.com or 612-968-4142 with any questions.

Available upon request: Traffic Counts, Trip Generation Calculations, Synchro Model Inputs and SimTraffic Outputs.

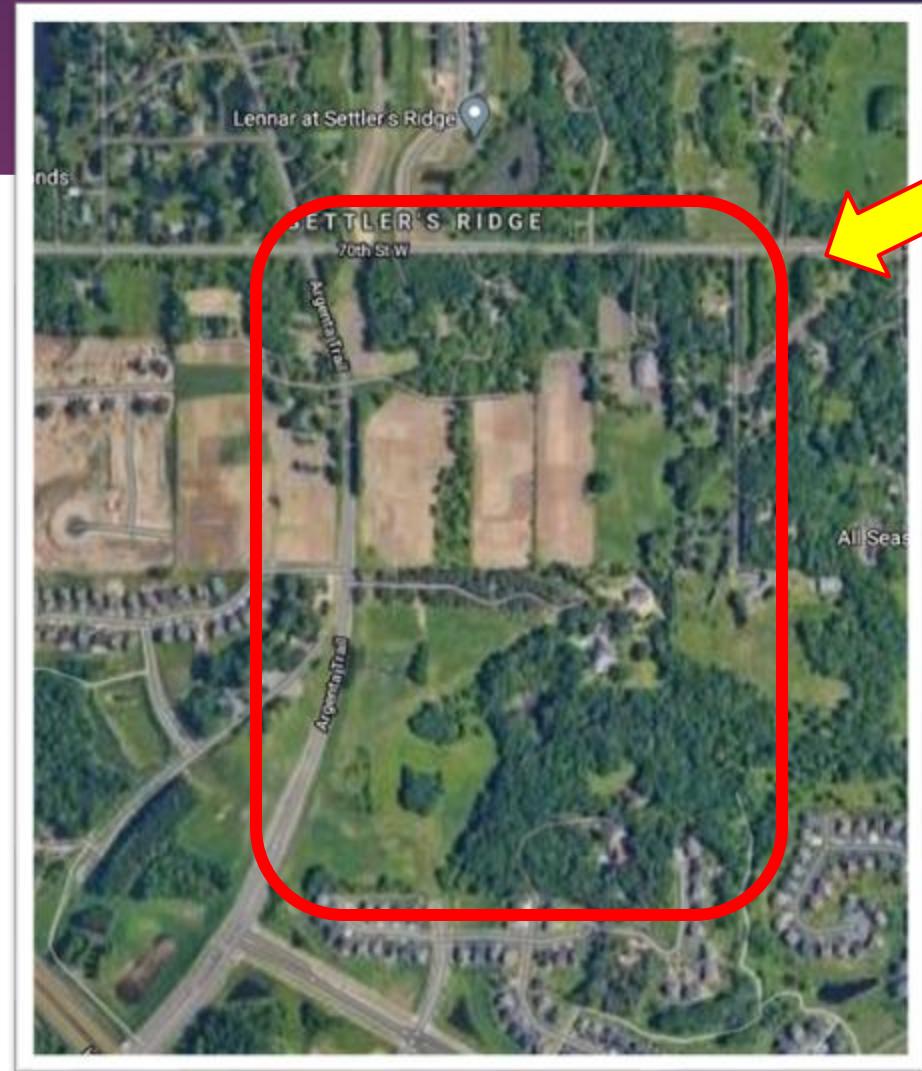


Peltier Reserve

INVER GROVE HEIGHTS, MN

2021

Approximate Location



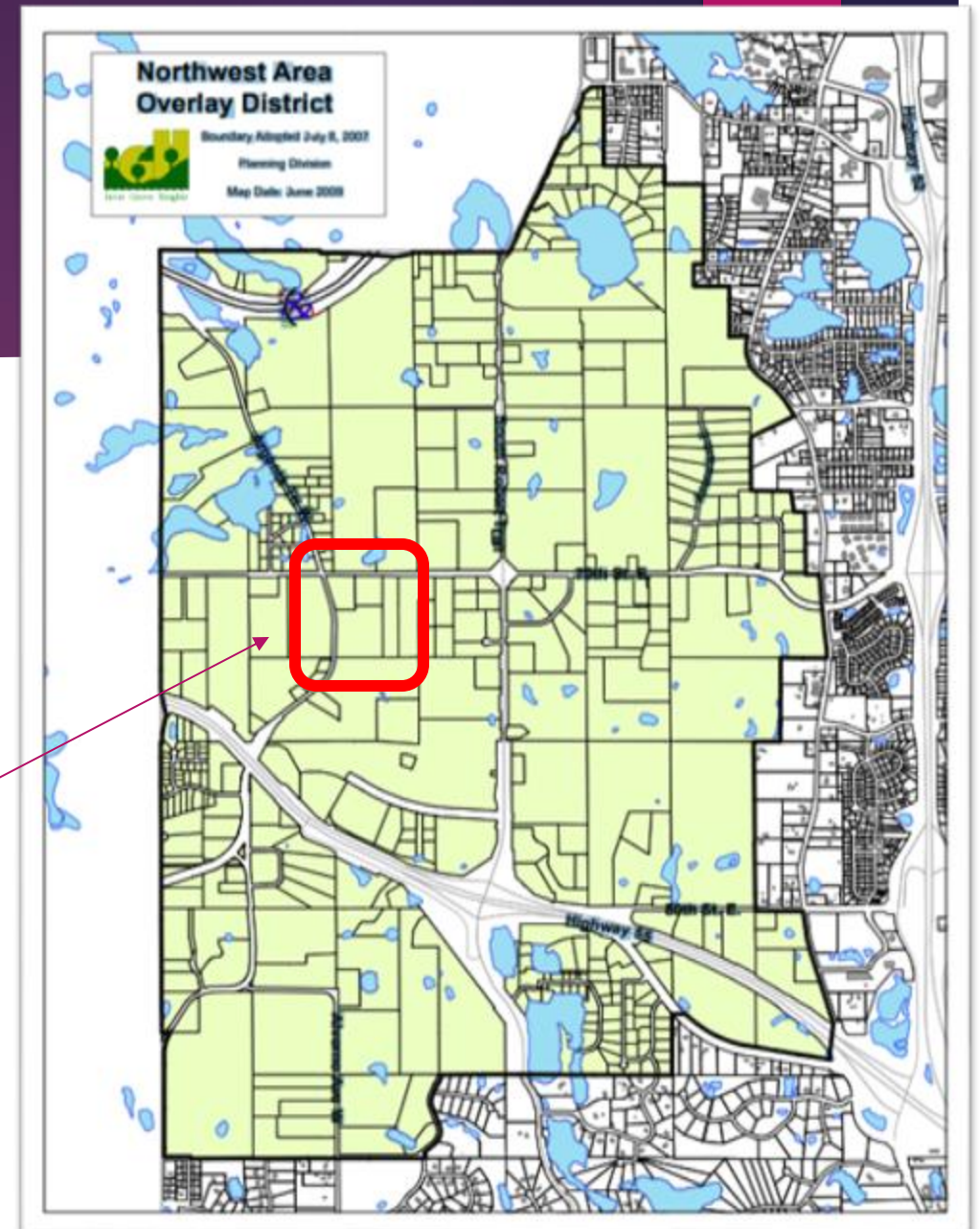
Framework for Development

EXISTING DEVELOPMENT STANDARDS

The developer believes this proposed PUD integrates the numerous requirements, objectives, policies, and design guidelines outlined the following documents:

- I.G.H. 2040 Comprehensive Plan
- I.G.H. Northwest Area Zoning Ordinance (Ord. 1148)
- I.G.H. Northwest Expansion Area AUAR
- I.G.H. Northwest Area Collector Street Plan
- I.G.H. Engineering Specifications for Construction
- Dakota County CSAH 26 & CSAH 63 Improvement Plans

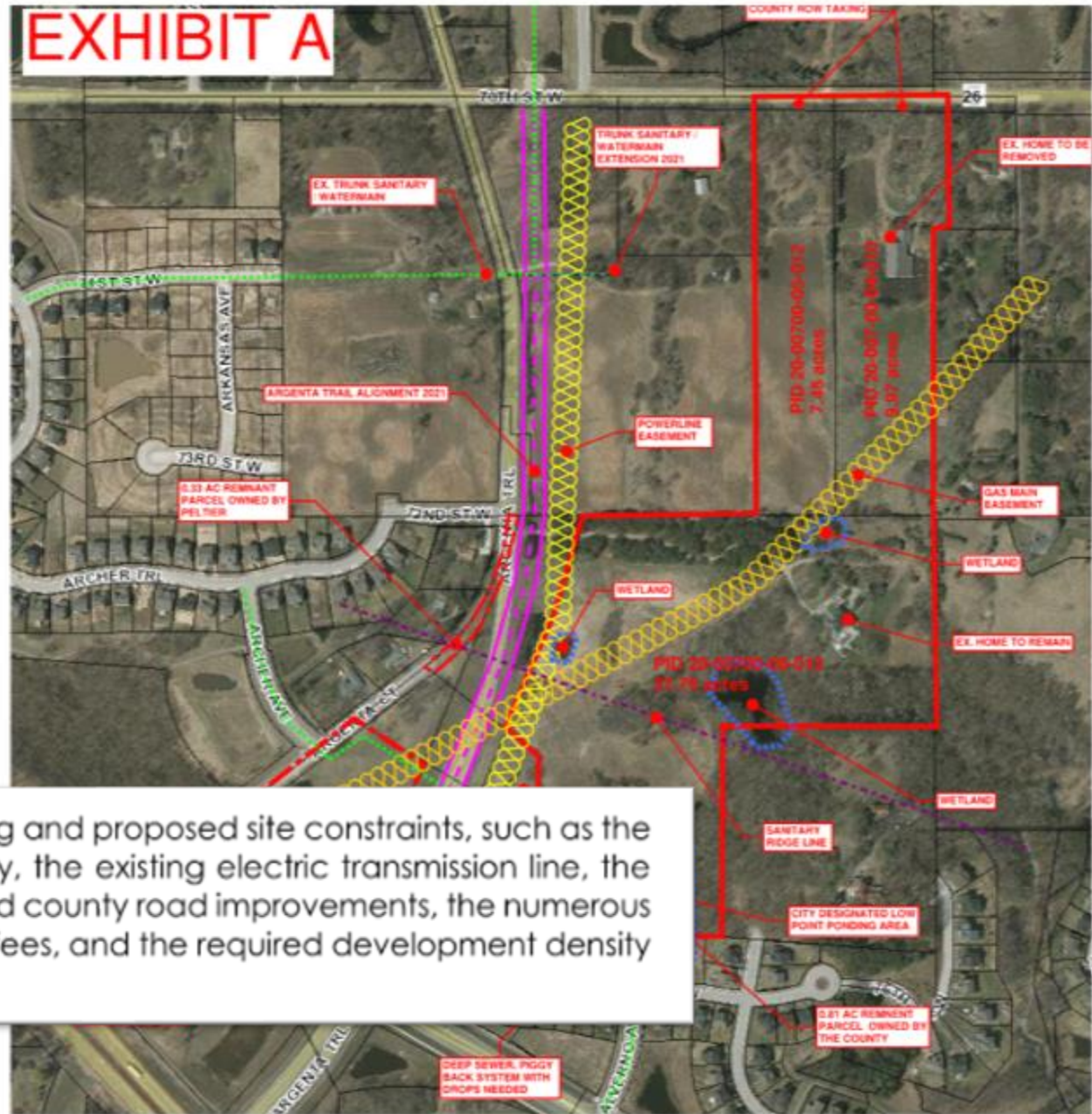
Project Location



Site Constraints

- New right-of-way along 70th
- Watermain extension - 2021
- Structure removal
- Existing Powerline easement
- Existing Gas Main Easement
- Existing Trunk Sewer Lines
- Three Wetlands

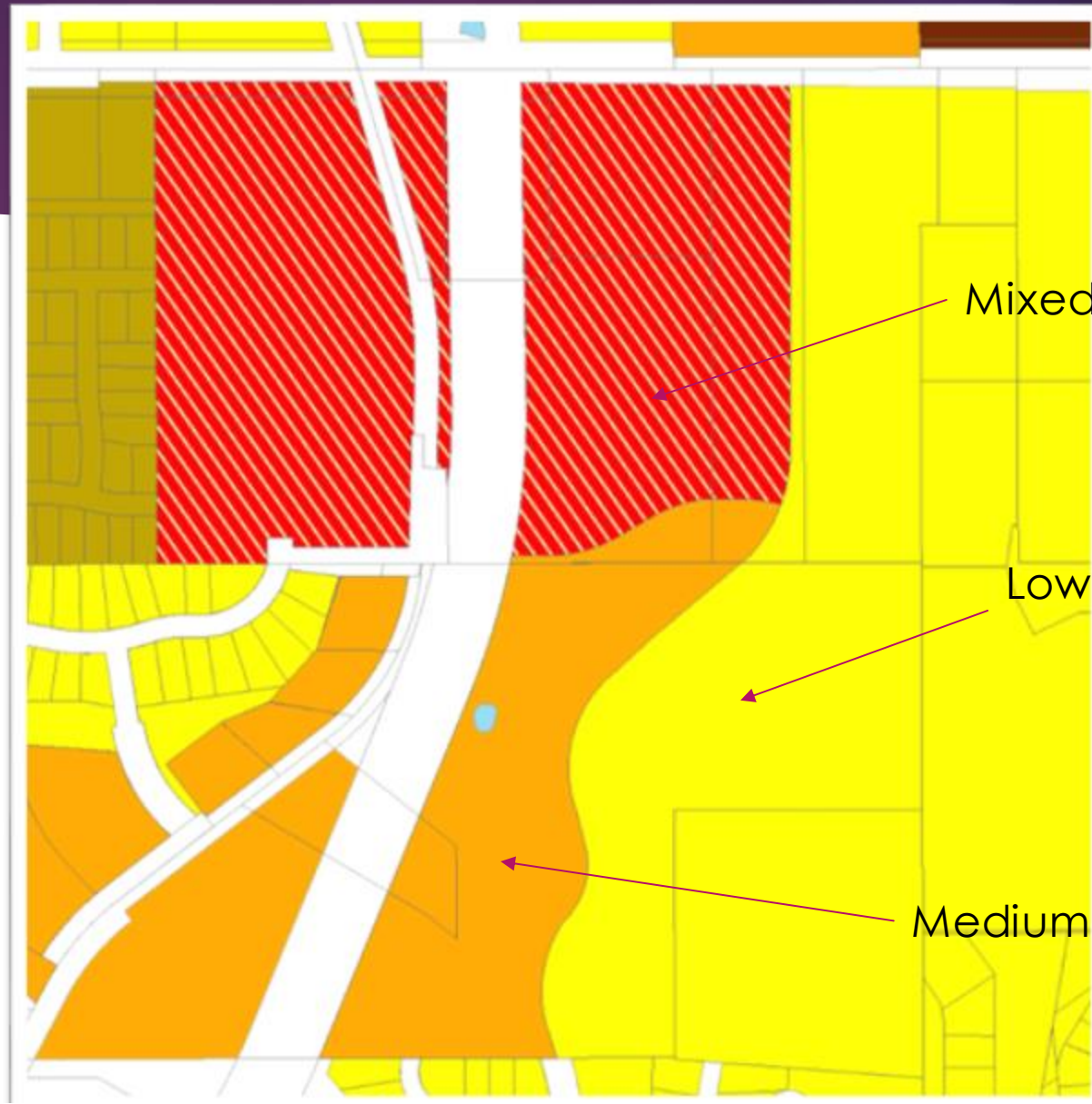
All stakeholders of this project must recognize the existing and proposed site constraints, such as the existing topography, the pipeline bisecting the property, the existing electric transmission line, the irregular shape of the development parcel, the proposed county road improvements, the numerous Northwest Area requirements, the City plat connection fees, and the required development density in order to make this project feasible.



Northwest Area Plan – Land use

What density is allowed in the Northwest Area?

The land use plan indicates density of 12+ units per acre in the NW corner as well as Medium and Low Density Residential.

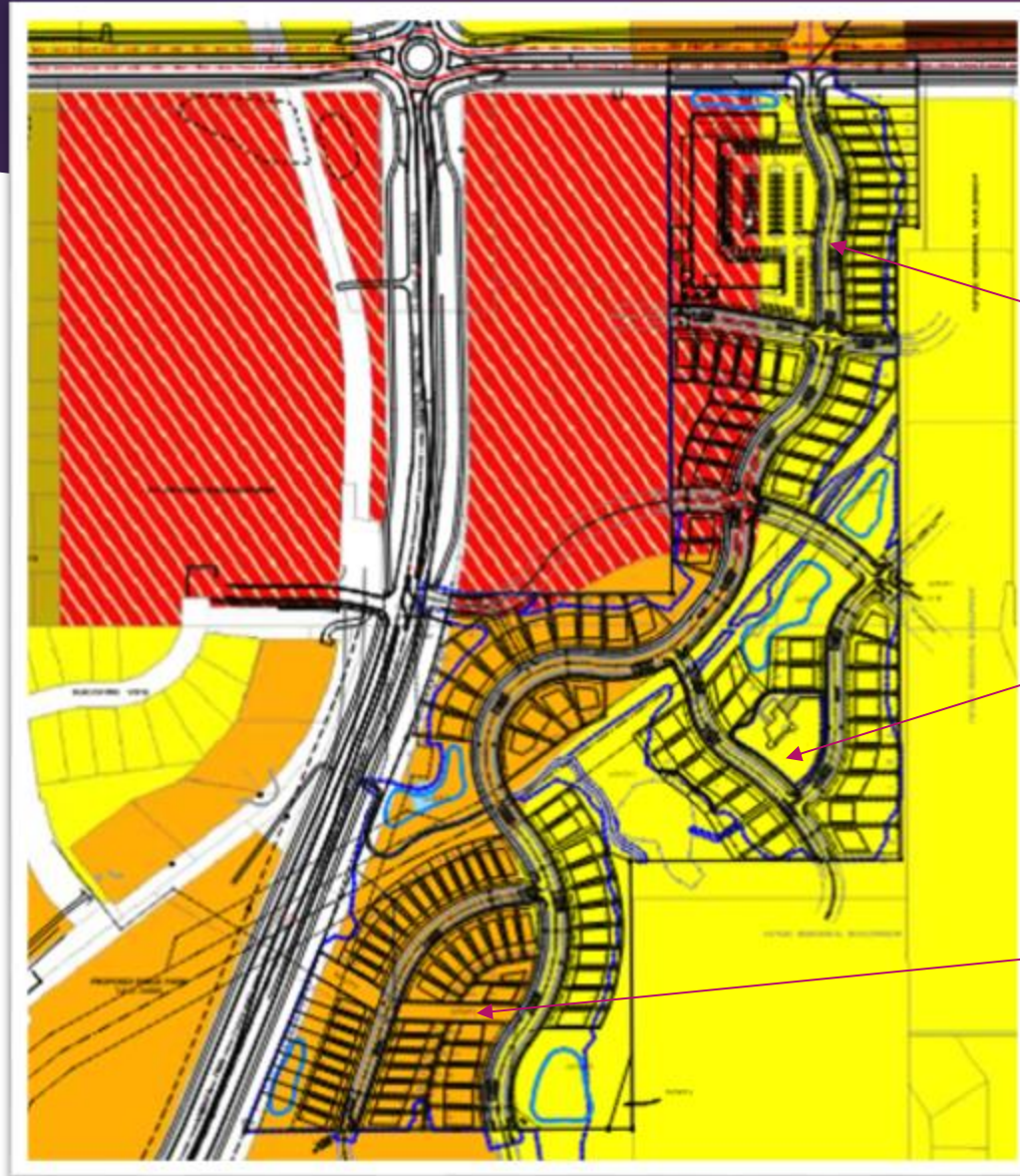


Mixed Use 12+ units/acre

Low Density Residential
50/60' x 130'

Medium Density Residential
36/38' x 130'

Northwest Area Plan – Site Plan Overlay



Mixed Use 12+ units/acre (red)

Low Density Residential (yellow)
50/60' x 130'

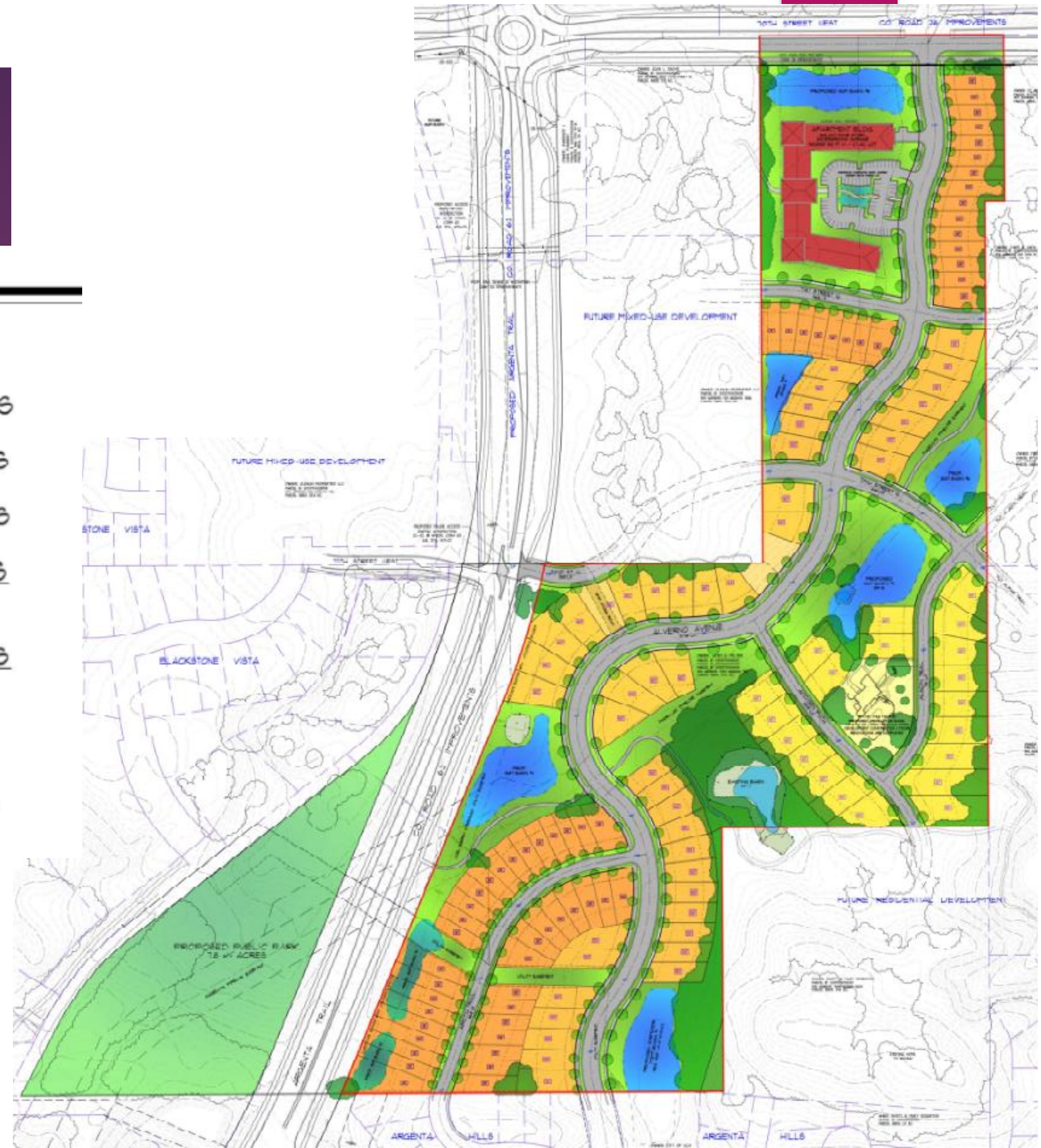
Medium Density Residential (orange)
36/38' x 130'

Proposed layout

CONCEPTUAL P.U.D. SUMMARY

LEGEND:

	MED. DENSITY SINGLE-FAMILY (36'-38' x 130'):	60 LOTS
	LOW. DENSITY SINGLE-FAMILY (50'-52' x 130'):	30 LOTS
	LOW DENSITY SINGLE-FAMILY (60' x 130'):	16 LOTS
	LOW DENSITY SINGLE-FAMILY (65' x 135'):	20 LOTS
	TOTAL SINGLE-FAMILY LOTS:	126
	MULTIFAMILY APARTMENT (MIXED-USE):	180-UNITS
	TOTAL DEVELOPMENT HOUSING UNITS:	306
	P.U.D. NATURAL AREA / OPEN SPACE (ORD. 1148)	
	ACCESS PER N.W.A COLLECTOR STREET PLAN (FIGURE 5.2)	



Peltier Reserve Density

- ▶ Inver Grove Heights is required to achieve a certain density throughout the community, and more specifically, in the NWA.
- ▶ The proposed plan provides a diverse housing mix at various price points (all market rate) as well as recreational opportunities for new and current residents.
- ▶ What does this density look like...?

N.W.A. P.U.D. AREA SUMMARY:

GROSS PARCEL AREA:	48.2 ACRES (100%)
COUNTY ROAD 26 ROW:	1.0 ACRES (2.1%)
WETLANDS:	0.9 ACRES (1.9%)
NET P.U.D. DEVELOPABLE AREA:	46.3 ACRES (96.0%)
PROP. NATURAL AREA/OPEN SPACE:	10.1 ACRES (22.0%)
PROPOSED NET DENSITY:	6.6 UN/AC

AREA

GROSS SITE AREA	2,097,519 SF	48.15 AC
LESS WETLANDS	40,940 SF	0.94 AC
LESS COUNTY ROAD 70 R-O-W	45,893 SF	1.06 AC
NET SITE AREA	2,010,686 SF	46.15 AC

OPEN SPACE SUMMARY

	REQUIRED	PROPOSED
OPEN SPACE (20% NET DEVELOPABLE)	402,138 SF	596,739 SF
UNDISTURBED SPACE (50% OPEN SPACE)	201,069 SF	141,827 SF
CONTIGUOUS OPEN SPACE (75% OPEN SPACE)	301,604 SF	419,507 SF

The zoning density and product mix support the I.G.H. NWA bonding repayment.

What will the homes look like and what is the price range?

Starting at:

\$575,000-\$990,000



What will the homes look like and what is the price range?



Starting at:
\$575,000-\$990,000



Medium Density Residential & Setback Questions:

- What has Builder's Lot Group (BLG) done to comply with the Zoning Ordinance?
 - Density is based on the Northwest Area plan. This requires a mix of densities, and the plan is achieved through the proposed layout.
 - Guidance from planning and engineering staff.
 - Will meet or exceed Zoning Ordinance

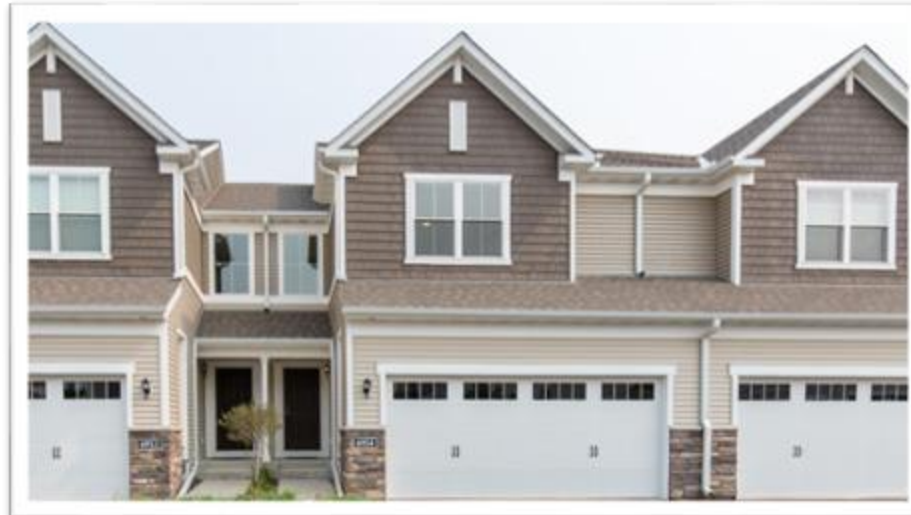


Attached Townhomes



Attached townhomes meet density requirement, however...

- Topography makes attached difficult.
- Properties to the south are detached.



Examples of Streetscape for 36' and 38' lots



Starting at:

\$399,000 - \$600,000

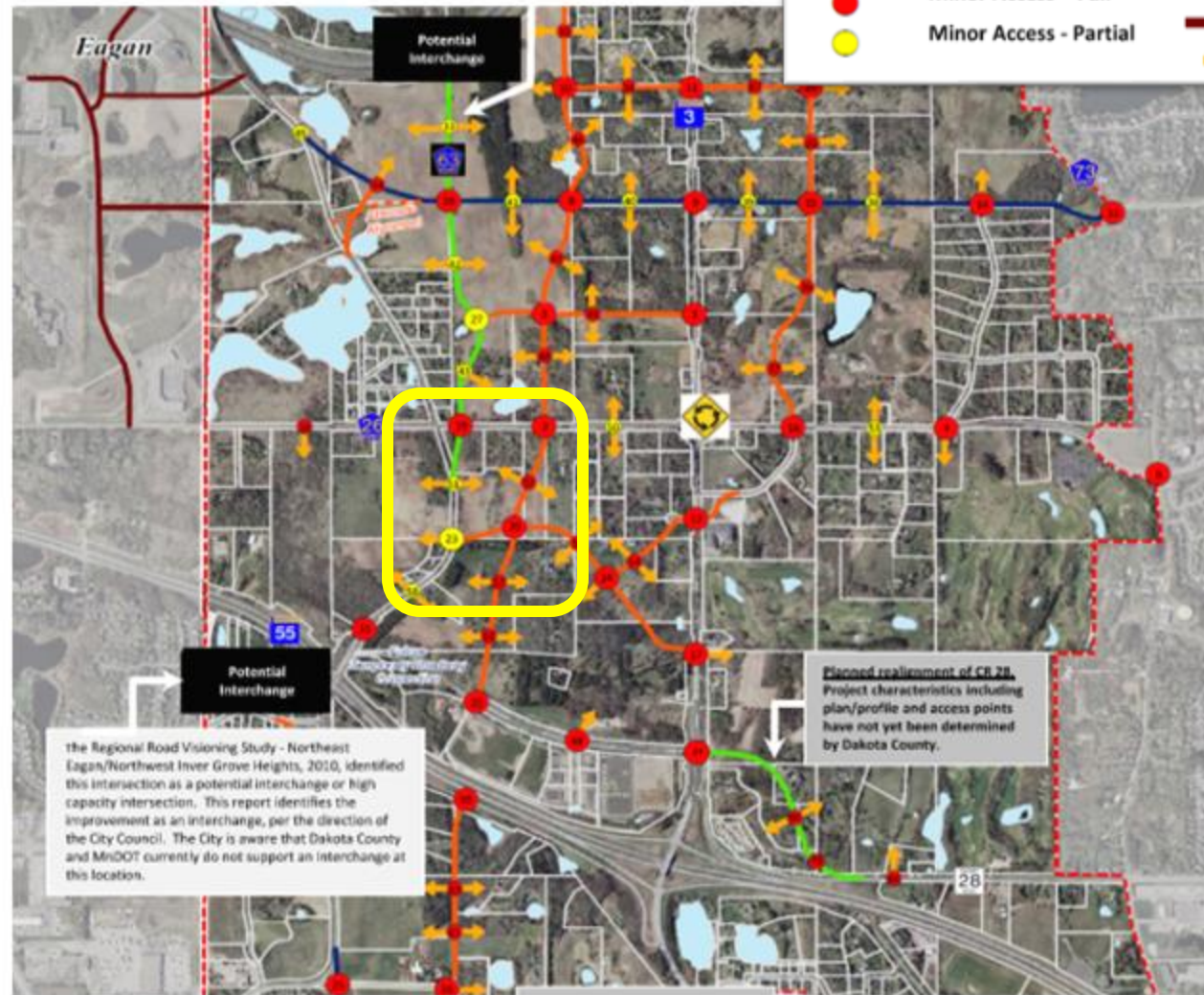
Northwest Area Street Plan

Access Type

- Major access – Full
- Major Access – Partial
- Minor Access – Full
- Minor Access - Partial

New Roadways

- Arterial
- Community Collector
- Neighborhood Collector
- Outside of Project Area
- Local Roadway Access



Traffic Impact Analysis: 03-15-21

In conclusion, the proposed development of the Peltier Reserve residential site has appropriate access to the surrounding roadway network and the potential addition of traffic from the development is not anticipated to significantly degrade traffic operations in the area. In other words, the roadway network serving the site will function well with the development of the property.



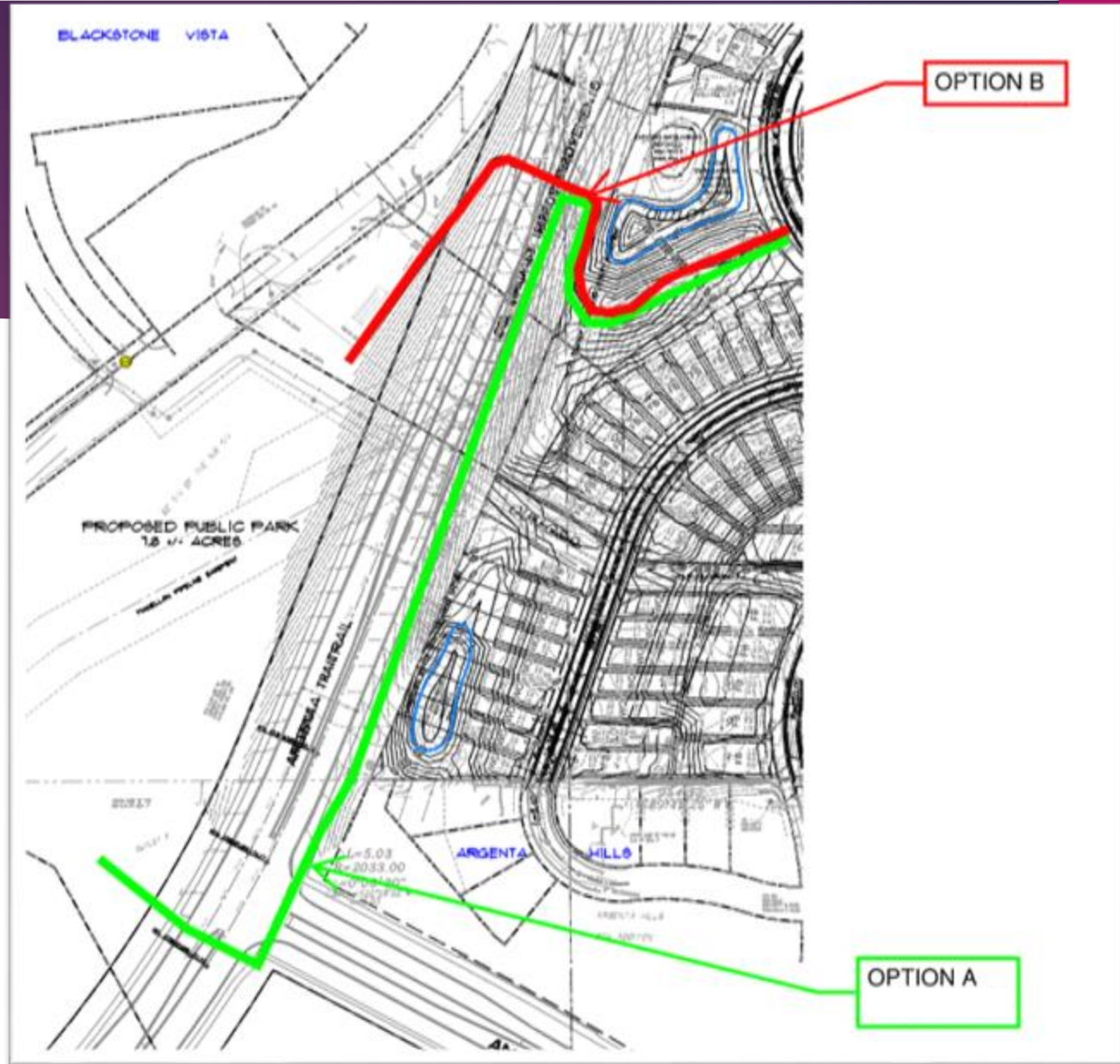
Swing Traffic Solutions

I.G.H. traffic consultants will determine:

- Street width
- Speed of Traffic
- Future study to locate sign placement

Proposed Trail Crossing

- Trail crossing options approved by Dakota County.
- Final location to be determined by I.G.H. Park Consultant



Tree Inventory and Replacement

1,366 trees identified on site.

- Low density (66 lots) – 4-7 trees per lot in rear yard and along side yard.
 - Responsibility of builder.
- Medium density (60 lots) – 2 in front, 3 in rear = 5 total.
 - Responsibility of builder
 - Provide landscape buffer
- Apartment complex (180 units) – TBD

- Requesting the definition of a Significant Tree to be 12 caliper inches and larger (instead of 6")
- Trees removed for Stormwater Management Basins are exempt of replacement
- Trees removed for the oversizing of Alverno Avenue are exempt of replacement
- Trees removed for the excavation required for the proposed County Road Improvements and the County Road access at 72nd Street W. are exempt of replacement

BLG will submit a Tree Preservation Plan and Proposed Landscape Plan based on these requested standards for review by the City.

From: [Katie B](#)
To: [Kim Fox](#)
Subject: Peltier Case No. 21-12PUD
Date: Friday, April 02, 2021 3:47:11 PM

Hello Ms. Fox,

I am writing in regards to the upcoming public hearing for the case described above.

We were told during the building group's meeting that Alverno Ave was intended to be converted to a 45 mph road. Although there is a stop sign at 76th St and Alverno Ave, I would strongly request that this speed limit change not occur. This area has several small children and heavy pedestrian traffic. Although there are sidewalks, I would request that this speed limit goal be decreased for safety purposes.

Thank you for your time.

Respectfully,
Katie Bezek

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.

Marcy Kottas
1448 76th Street West, Inver Grove Heights, MN 55077
3/31/2021

Planning Commission:

I'm writing in regard to applicant Builders Lot Group's requests to develop a 126-lot single family subdivision and 180-unit apartment building.

I attended the neighborhood meeting on 2/4/2021. A few items brought up during the meeting are significant enough to mention again because of the negative impacts it would have on the traffic and safety of our neighborhood.

- The current plan has the expansion of Alverno Avenue going from Amana Trail north to 70th Street without any access to Argenta Trail (Co. Rd. 63). I brought up this point at the meeting and was told there is no current plan to provide access out to Argenta Trail. Without access out to Argenta Trail the traffic in this neighborhood will increase exponentially and my house will be seriously impacted. Every household and car in this new development that needs access to the major highways or to grab groceries at Target will drive by house. That's potentially hundreds of cars driving by my house multiple times a day turning Alverno Avenue into a mini highway. Argenta Trail was redesigned a few years ago and can handle the extra traffic. Our city and the Planning Commission needs to seriously consider this factor when it comes to the safety of our neighborhood. Increased traffic in a neighborhood full of kids is a disaster waiting to happen. My two young boys play on the side of our house on Alverno Avenue and this increased traffic scares me. Their safety and the safety of our neighborhood needs to be seriously considered.
- At the meeting we were told the proposed speed limit of Alverno Avenue would be 45 mph. This was met with extreme backlash. On page 4 of the application, the applicant states they desire "A streetscape that is pedestrian friendly and safety focused and not primarily focused on the vehicle, all posted vehicle speed limits shall be 30 mph or below." If the request is approved their desire of 30 mph or below should be permitted. Anything higher than 30 mph puts our family's safety at serious risk.
- Stop signs were also brought up at the meeting. We were told there was no plans for stop signs along Alverno Avenue. Stop signs can help reduce speeding and provide overall safety for the neighborhood. Strategic stop signs need to be considered and included in the final design of the development in order to achieve a safe neighborhood.

In summary, the development as it is currently planned does not meet Builders Lot Group's Neighborhood Element objective of a "safe, well-maintained, pedestrian-oriented, desirable places to live". The plan to add 126 new houses and 180 apartment units to a neighborhood without access to the main road of Argenta Trail, without stop signs along Alverno Avenue which is the only access out of the neighborhood and a speed limit of 45 mph is extremely poor planning and should not be approved by the City of Inver Grove Heights and the Planning Commission.

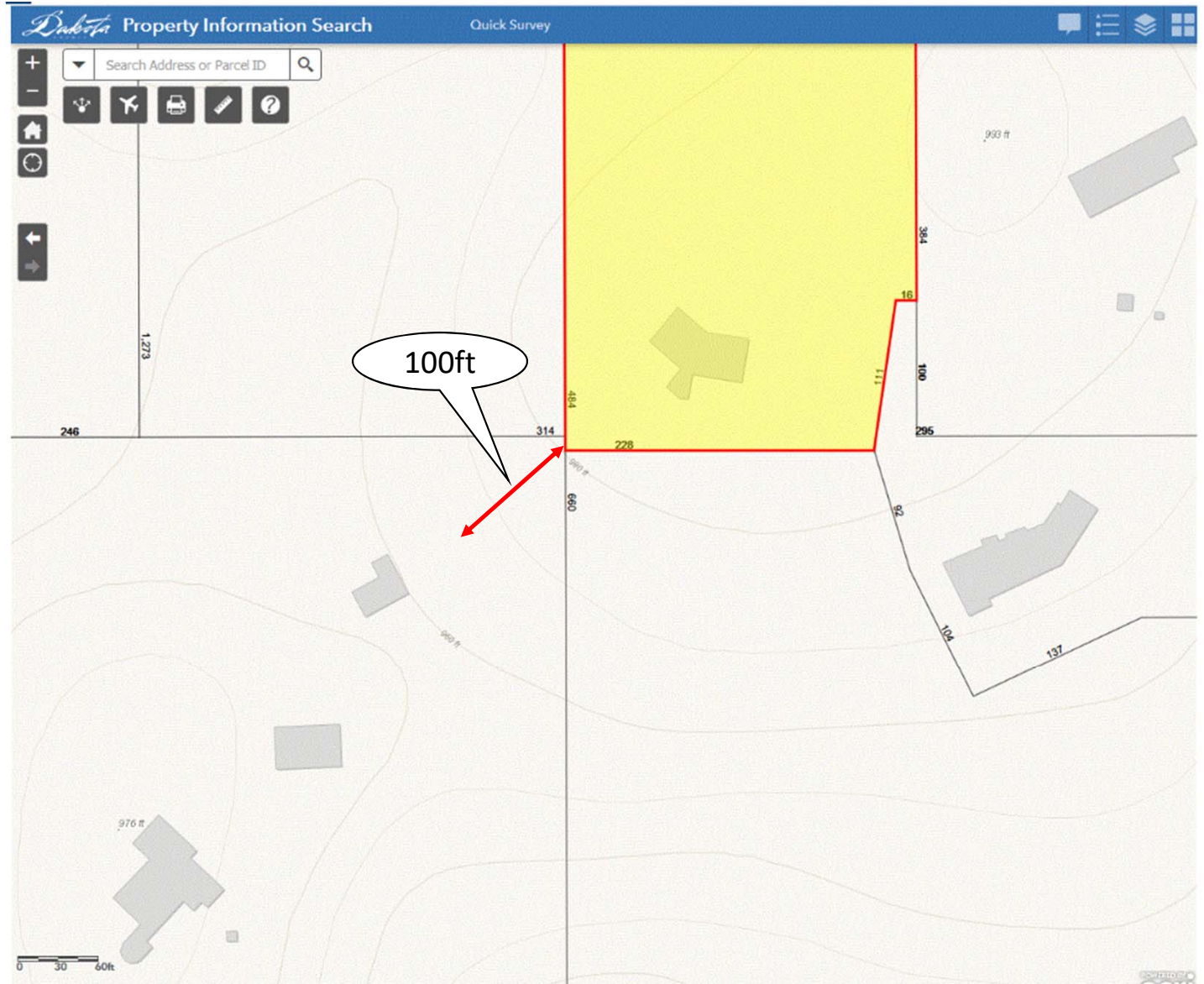
Thank you for the opportunity to comment.

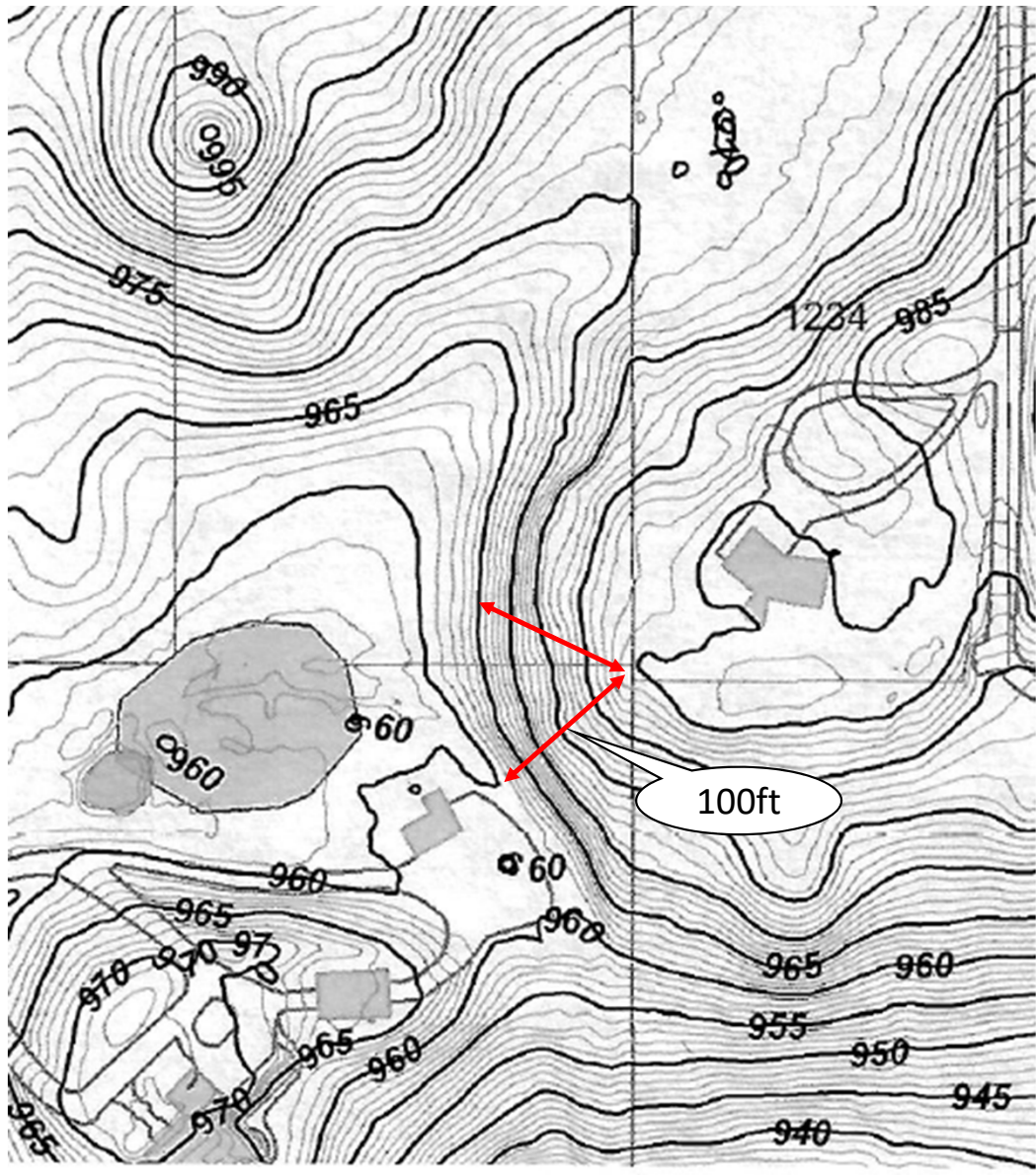
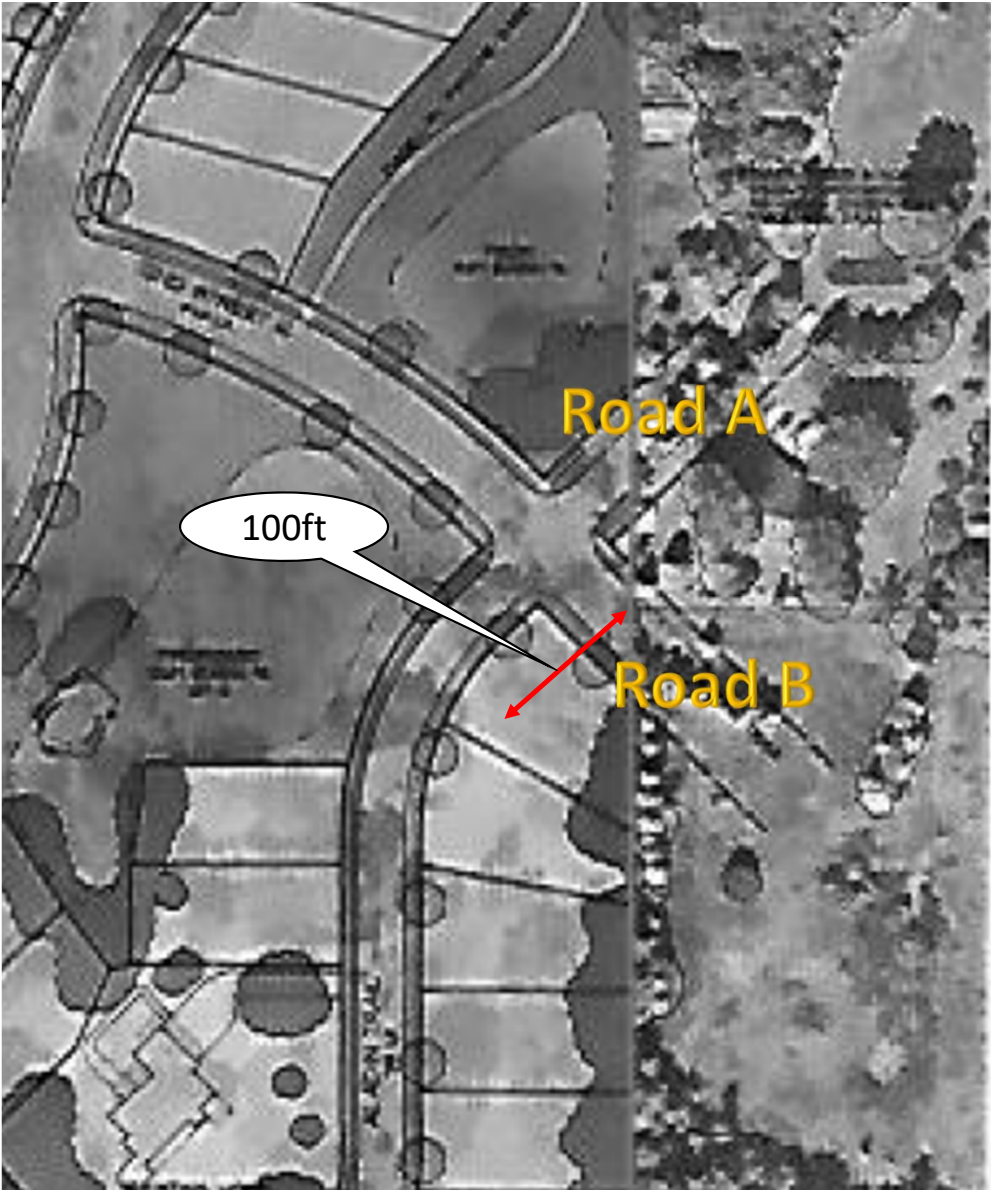
Sincerely,

Marcy Kottas

Showing south west corner of 1234 70TH ST W

The 2 roads (I call them ROAD A and ROAD B in the next slide) that would fork at the South West corner of my property would need to go up hill by 25 feet in less than 100 feet as shown on slide 2.





Summary of concerns

- 1- The proposed ROAD B at the South West corner of 1234 70TH ST W will need to go up by 25 feet in less than 100 feet. That is an angle of approximately 25 degrees
- 2- The proposed future ROAD A that goes right through the side of my house has the same 25 angle. That piece of the road has not been in any planning that I saw before and I do not see how it will ever happen since I am not planning to sell this property.
- 3- There is a row of about 25 evergreens that will be destroyed by doing ROAD B. This is not good for the environment for sure.
- 4- By moving ROAD B further south solves both the elevation issue and saves the evergreens. This road will also need to come back down very quickly otherwise it will run into the 1230 property.
- 5- Also if a retaining wall is planned, the entire hill is sand. Putting a vertical wall (possibly 20 feet tall) into a pile of sand will not work very well structurally and it could collapse over time, negatively affecting my property value. Additionally, a retaining wall of that size it will be a hazard waiting to happen as a small child could fall over regardless if a fence will be in place or not.

**Request for Council Action**

TITLE: Third Reading of Ordinance Amending City Code Title 1, Chapter 5, Section 1(A) Related to the Start Time of Regularly-Scheduled Council Meetings

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 26, 2021	None	x
Item Type:	Regular-Administration	Amount included in current budget	
Contact:	Heather Rand, Interim City Administrator	Budget amendment requested	
Prepared by:	Heather Rand	FTE included in current complement	
Reviewed by:	Bridget Nason, City Attorney	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The City Council previously discussed changing the start time of its regularly-scheduled council meetings from 7 p.m. to 6 p.m. and directed staff to take the necessary steps to effectuate formal consideration of this change. Staff have contacted Town Square Television and made arrangements to ensure continued broadcast of council meetings if the Council approves a change to its regular meeting start times. The attached ordinance changes the start time of regular council meetings to 6:00 p.m.; adds a reference to the start time for council work sessions; and clarifies the process for changing the meeting date for regularly-scheduled meetings that fall on a holiday.

SUMMARY:

Consider the third reading of an ordinance amending the provisions of City Code Title 1, Chapter 5, Section 1(A) related to the start time for regularly-scheduled council meetings.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 1,
CHAPTER 5, SECTION 1(A) RELATED TO THE START OF REGULARLY-
SCHEDULED CITY COUNCIL MEETINGS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 1, Chapter 5, Section 1(A) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

1-5-1: MEETINGS:

- A. Regular Meetings: Regular meetings of the council shall be held on the second and fourth Mondays of each calendar month at six o'clock (6:00) P.M. ~~seven o'clock (7:00) P.M.~~; a council work session shall be held on the first Monday of each calendar month at six o'clock (6:00) P.M. Any regular meeting falling upon a holiday shall be held on such other date as determined by the city council, ~~at the previous regular meeting.~~

Section Two. Effective Date. This Ordinance shall be in full force and effect beginning on May 1, 2021, following its passage and publication as provided by law.

Passed in regular session of the City Council on the ____ day of _____, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____
Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

CITY COUNCIL MEETING SCHEDULE FOR 2021

Meetings are subject to change due to Covid-19 pandemic or other emergency orders.

MEETING TYPE*	DATE
Work Session Meeting	Monday, January 4
Regular Council Meeting	Monday, January 11
Regular Council Meeting	Monday, January 25
Work Session Meeting	Monday, February 1
Economic Development Authority and Regular Council Meeting	Monday, February 8
Regular Council Meeting	Monday, February 22
Work Session Meeting	Monday, March 1
Regular Council Meeting	Monday, March 8
Regular Council Meeting	Monday, March 22
Work Session Meeting	Monday, April 5
Regular Council Meeting	Monday, April 12
Regular Council Meeting	Monday, April 26
Work Session Meeting	Monday May 3
Economic Development Authority and Regular Council Meeting	Monday, May 10
Commission Appointments (7:00 p.m.)	Monday, May 17
Regular Council Meeting	Monday, May 24
Work Session Meeting	Monday, June 7
Regular Council Meeting	Monday, June 14
Regular Council Meeting	Monday, June 28
Work Session Meeting	Tuesday, July 6
Regular Council Meeting	Monday, July 12
Regular Council Meeting	Monday, July 26
Work Session Meeting	Monday, August 2
Economic Authority Meeting and Regular Council Meeting	Monday, August 9
Regular Council Meeting	Monday, August 23
Work Session Meeting	Tuesday , September 7
Regular Council Meeting	Monday, September 13
Regular Council Meeting	Monday, September 27
Work Session Meeting	Monday, October 4
Regular Council Meeting	Monday, October 11
Regular Council Meeting	Monday, October 25
Work Session Meeting	Monday, November 1
Economic Development Authority and Regular Council Meeting	Monday, November 8
Regular Council Meeting	Monday, November 22
Work Session Meeting	Monday, December 6
Regular Council Meeting	Monday, December 13

*Economic Development Authority Meetings start at 5:00 p.m.

*Work Sessions start at 6:00 p.m.

*Regular Council Meetings start at 6:00 p.m. beginning May 1, 2021

HOLIDAYS FOR 2021

Friday, January 1 st	New Year's Day
Monday, January 18 th	Martin Luther King Jr. Day
Monday, February 15 th	President's Day
Friday, April 2 nd	Good Friday (one-half day)
Monday, May 31 st	Memorial Day
Monday, July 5 th *	Independence Day
Monday, September 6 th	Labor Day
Thursday, November 11 th	Veteran's Day
Thursday, November 25 th	Thanksgiving Day
Friday, November 26 th	Day after Thanksgiving
Thursday, December 23 rd **	Christmas Eve (one-half day)
Friday, December 24 th **	Christmas Day
Employee's Choice w/Supervisor Approval	Floating Holiday

*Holidays that fall on Sunday are observed on Monday.

**Holidays that fall on Saturday are observed on Friday.

**Request for Council Action**

TITLE: Consider First Reading, Ordinance Amending Specific City Licenses Due Date from January 1 to May 1.

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 5, 2021	None	X
Item Type:	Work Session	Amount included in current budget	
Contact:	651-450-2513	Budget amendment requested	
Prepared by:	Rebecca Kiernan City Clerk	FTE included in current complement	
Reviewed by:	Heather Rand	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Most City Licenses become due on January 1 of each new year. In the even years, there is always an issue with getting the licenses completed and approved in a timely manner due to the Election Cycle.

The licenses that staff would like to change their due dates are as follows: Massage Business, Massage Individual Therapist, Motor Vehicle Sales, Rubbish Haulers, and Service Stations. The proposed new license period would be May 1st to April 30th of each year.

SUMMARY:

Staff recommends changing the license period to May 1st to April 30th for licensed occupations listed above effective in 2022.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTIONS 3-2-7, 4-8-1, 4-5A-5, 4-5B-6, AND 8-6-2 OF THE
INVER GROVE HEIGHTS CITY CODE RELATED TO LICENSE TERMS AND EXPIRATION
DATES**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Title 3, Chapter 2, Section 7 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

3-2-7: TERM OF LICENSE:

Except as otherwise provided elsewhere in this Code, ~~The~~ term of the license year shall begin on January 1 and end on December 31.

Section Two. Amendment. Title 4, Chapter 8, Section 1 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

D. License Required:

4. License Term: Licenses shall be issued for a period of one year beginning on May 1st, except that if a portion of the year has elapsed when application for a license is made, a license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. All licenses shall expire on April 30th of each year.

Section Three. Amendment. Title 4, Chapter 5, Article A, Section 5 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

4-5A-5: LICENSE FEE; EXPIRATION; NONTRANSFERABILITY:

The fees for class A and class B licenses are established by resolution of the city council. The license shall expire on April 30th of each year ~~December 31~~. The license shall not be transferable. (1974 Code § 1100.07; amd. 2008 Code)

Section Four. Amendment. Title 4, Chapter 5, Article B, Section 6 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

4-5B-6: TERM OF LICENSE; FEE PRORATED:

~~The term of each license shall be for a calendar year or for the remainder of the calendar year after issuance therefor.~~ All licenses shall be for a period of one year and shall expire on April 30th of each year. If the license is granted for less than ~~the an~~ entire ~~calendar~~ year, the license fee shall be prorated accordingly, with more than fifteen (15) days to be considered a full month and less than fifteen (15) days disregarded in such prorating. (1974 Code § 1103.11)

Section Five. Amendment. Title 8, Chapter 6, Section 2 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

E. Term Of License; Expiration; Renewals; Number Of Licenses And Eligibility:

1. ~~No license issued hereunder shall be for a period longer than one year. All licenses shall expire on December 31.~~ All licenses shall be for a period of one year beginning on May 1st and expiring on April 30th of each year. If the license is granted for less than an entire calendar year, the license fee shall be prorated accordingly, with more than fifteen (15) days to be considered a full month and less than fifteen (15) days disregarded in such prorating. ~~following the date of issuance unless sooner revoked or forfeited.~~ If a license granted hereunder is not renewed previous to its expiration, then all rights granted by such license shall cease, and any work performed after the expiration of the license shall be in violation of this chapter.

Section Six. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed in regular session of the City Council on the ____ day of _____, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____
Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk