

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, March 19, 2024 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

Chair Weber called the Planning Commission Meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited.

2. ROLL CALL

Commissioners Present: Jonathan Weber (*Chair*)
Scott Clancy (*Vice-Chair*)
Trisha Presley (*Secretary*)
Jason Teiken
Robert Heidenreich
Aida Schaefer
Dennis Wippermann
VACANT SEAT

Commissioners Absent: Lance Twedt - excused

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

3. CONSENT AGENDA

A. Minutes of the March 6, 2024, Planning Commission Meeting.

Motion by Heidenreich, Second by Presley, to Approve the minutes of the March 6, 2024, Planning Commission meeting as they were submitted.

Ayes: 7

Nays: 0 Motion Carried.

4. PUBLIC HEARING

A. Comprehensive Plan Amendment to change the land use designation for about 4.5 acres from the current MDR, Medium Density Residential, to LMDR, Low-Medium Density Residential, and for about 0.50 acres from MDR, Medium Density Residential, to LDR, Low Density Residential, for the property located at 1845 77th Street West. (Steve Grebin - Case No. 24-10PA)

Reading of Public Notice

Secretary Presley read the Public Hearing Notice. Notices were mailed to 46 property owners on February 29, 2024.

Presentation of Request

Associate Planner Botten presented a summary of the staff report.

Commissioner Clancy questioned if there were additional overlay districts that would trigger the need for City Council review of proposals.

Associate Planner Botten clarified that the current zoning is agricultural, and it is in the Northwest Area Overlay District. If the Comprehensive Plan Amendment is approved, the next

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

step would be to Rezone and Plat the parcel, along with any other requirements that may be needed.

Planning Commission Discussion

Motion by Clancy, Second by Wippermann, to Adopt additional emails from residents into the public record that were received for this specific item.

Ayes: 7

Nays: 0 Motion Carried.

Opening of Public Hearing

Steve Grebin, 1974 77th Street West, Applicant, stated that he received the staff report and understood it. He is requesting to change the density from medium density, 40-60 units for 5 acres down to low-medium density, 20-40 units.

Ann Ulrich, 7623 Bennett Court, presented a petition signed by 91 residents opposing any zoning that would allow for multi-unit dwellings. Ms. Ulrich stated as reasons for opposition, the existing character of the neighborhood, which is currently all single-family homes, and mentioned that there are already traffic issues/risks to pedestrians due to lack of sidewalks and a sharp turn on one of two neighborhood entry/exit points on 77th Street West. These issues would be worsened with increased daily traffic in/out of the neighborhood. The petition signatories' desire to preserve the natural habitat in the property's backyard. Given the existing traffic issues and the current lack of multi-family homes in Orchard Heights, other areas of the city would be better suited for multi-family housing. Reject this proposal and recommend that the City Council do the same.

Chair Weber clarified that the specific design of the development is not in question at tonight's meeting, the request is to change the land use designation set in the 2040 Comprehensive Plan, adjusting from Medium to Low-Medium density.

Eric Holm, 1928 77th Street West, stated that the needed infrastructure for this project is not in place, and that the area needs a traffic study. The intersection of Yankee Doodle Road and 77th Street needs a traffic signal, especially with future development from the trail project nearby. There are also no parks in the neighborhood.

Chair Weber clarified that if the Comprehensive Plan Amendment is approved, the developer would submit an application with their plans for review. If the Comprehensive Plan is not amended, a developer can submit for a higher-density project as the parcel is currently guided medium density.

Bret Otzenberger, 1970 77th Street West, stated that the public hearing notice sent to residents mentioned 20 townhomes on one lot, which is why residents are commenting on the specific plan. Questioned why this parcel was zoned medium density in the first place. According to the zoning map, there are also single-family homes guided for medium density nearby (east of Argenta and north of Highway 55.)

Chair Weber inquired about the single-family homes guided for medium density in the area east of Argenta and north of Highway 55. City Planner Hunting stated that area is the Peltier Development and was approved as a Planned Unit Development (PUD) with single-family lots.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Associate Planner Botten clarified that the land use guide for the Peltier Development area is still guided for medium density.

Chair Weber stated that Comprehensive Plans are set years in advance. The Planning Commission reviews broader districts and must meet density and rates for certain areas of the city based on the Metropolitan Council's plans. In the last Comprehensive Plan process, more density was needed in certain areas around arterial corridors.

Ann Ulrich, 7623 Bennett Court, stated that the area should be rezoned to low density for single-family homes.

Irene Schultz-Albert, 7643 Bennett Court, stated that the area has changed a lot in 20 years, with a large increase in townhomes and apartments. The property owner can still sell the parcel as a single-family lot, regardless of the zoning.

Laura P.L. Bordowitz, 3278 Rolling Hills Drive, Eagan, questioned why the area is being rezoned for less density when the proposal is to put in townhomes which seem to be of a higher density.

Chair Weber clarified that the current designation of medium density would allow for 40 townhomes on the 5-acre property. The lowered density, low-medium density, only allows the developer to put in 20 townhomes.

Laura P.L. Bordowitz, 3278 Rolling Hills Drive, Eagan, stated that regardless of the zoning, the neighborhood is currently all single-family homes, this development would create a very dense corner.

Chair Weber asked about a nearby area in Eagan that borders the neighborhood and includes townhomes. It was clarified that the neighborhood does not connect to the neighborhood of the proposed project.

Beth Rocheford, 1966 77th Street West, questioned what would happen if the request were denied.

Associate Planner Botten stated that the Planning Commission is an advisory commission, their recommendation is tentatively scheduled go to before the City Council on April 8th. If the City Council denies the amendment, the property would stay medium density and it would be up to the future landowner what they do with the land. If the landowner wanted to put in single-family homes, they would have to get a Comprehensive Plan Amendment for lower density, just as the applicant is currently seeking.

Beth Rocheford, 1966 77th Street West, questioned whether the lot could be turned into a park.

Associate Planner Botten stated that there are no current plans for a park to be placed in the area, but the plat would go to the Parks Commission for review and comment.

Eric Holm, 1928 77th Street West, questioned what the current zoning for the parcel is.

Chair Weber stated that it is agricultural but that the lot is guided medium density residential.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Eric Holm, 1928 77th Street West, clarified that no one knows what will happen with this property. He mentioned it could become Section 8 housing and indicated he has concerns about it. He pointed out that the current house is not connected to sewer and water.

Dave Harpster, 7673 Bennett Court, questioned what the process would be to change the zoning to LDR.

Chair Weber stated that the landowner or applicant for the property would submit an application.

Irene Albert, 7643 Bennett Court, inquired about whether an amendment for the property could go from medium density to low density, instead of the proposed low-medium density.

Chair Weber stated that it could, but the proposal must come from the owner of the property.

Laurence P.L. Bordowitz, 3278 Rolling Hills Drive, Eagan, inquired whether the low-medium density request makes the Comprehensive Plan more difficult to oppose.

Katie Retka, 561 77th Street West, Eagan, stated that the earlier-referenced townhomes are not a part of the Burr Oaks/Orchard Hills neighborhood.

Chair Weber closed the public hearing.

Planning Commission Discussion

Motion by Clancy, Second by Wipperman, to Accept the three resident comments stating desire against change request.

Ayes: 7

Nays: 0 Motion Carried.

Chair Weber stated that it's nice to see density being lowered instead of raised, and that other areas also seek higher-density projects at the entrance to a neighborhood.

Commissioner Teiken quoted the 2040 plan: "Residential neighborhoods will contain a variety of housing types and levels of affordability." Teiken stated that this proposal is of a lower-density than what is being seen in other areas, so there is more of a transition in this location.

Commissioner Schaefer stated that it is difficult to exit the neighborhood currently. Low-medium density and medium density are both too dense for the turn on 77th Street. Schaefer stated that density close to Highway 55 makes sense generally, but the existing roads in this location could lead to backups onto Highway 55. If the amendment is approved, there's a process to follow, and the developer will bring a plan before the commission; if the amendment is not approved, someone in the future could request that the area be rezoned as low density.

Commissioner Clancy stated that he agrees medium density would be egregious for this neighborhood, and that it would be in the neighborhood's best interest to change the land use to low-medium density. Clancy stated that the proposed amendment gives the neighborhood more control to limit development and make the density increase more gradual.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Commissioner Schaefer inquired if a developer could currently submit a proposal that meets the specifications for medium density and go straight to the permitting process, without a Comprehensive Plan Amendment.

Associate Planner Botten stated that a potential buyer would not currently need a Comprehensive Plan Amendment to submit a proposal that met the requirements for medium density. There would still be a public process for approval, but it would be difficult for the City to deny a proposal that met land use requirements.

Chair Weber inquired if there are future plans for realignment of 77th Street.

Associate Planner Botten stated that the Engineering Department reviewed traffic in the area at a high level, and Dakota County's Capital Improvement Plan for 2026 focuses on Argenta Trail and Highway 55, and the 77th Street intersection appears to be included with that study.

Commissioner Presley inquired how many single-family homes would be allowed on the property if it was low density.

Associate Planner Botten stated that low density allows for 1 - 4 units per acre.

Commissioner Wippermann stated that whatever is decided with this parcel will likely be the same use for the parcel directly to the east. Wippermann is concerned with adding units to the area, given the traffic issues.

Commissioner Schaefer inquired about the possibility of including a statement recommending a lower density in the Planning Commission's recommendation to the City Council.

City Planner Hunting clarified that if the Planning Commission is not supportive of making a change, they could also recommend a city-initiated Comprehensive Plan Amendment to change this parcel to low density.

Commissioner Clancy stated that it is not the role of the Planning Commission to provide their opinion on land use and that they should just consider the facts in front of them.

Planning Commission Recommendation

Motion by Clancy, Second by Heidenreich, to Approve the Comprehensive Plan Amendment from MDR, Medium Density Residential to LMDR, Low-Medium Density Residential and LDR, Low Density Residential subject to the three conditions listed in the staff report.

Ayes: 6

Nays: 1 (Wippermann) Motion Carried.

The item is tentatively scheduled to go before the City Council on April 8, 2024.

Recess at 8:05 p.m.

Meeting resumed at 8:11 p.m.

B. Preliminary Planned Unit Development Amendment and Final Planned Unit Development to increase the unit numbers and site plan changes to construct a four-story, 242-unit apartment building on property located at 70th Street West and Agate Trail, identified as PID No. 20-56900-13-010. (Yellow Tree Development - Case No. 24-08PUD)

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Reading of Public Notice

Secretary Presley read the Public Hearing Notice. Notices were mailed to 8 property owners on February 29, 2024.

Presentation of Request

City Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Commissioner Clancy inquired if parking is allowed along Agate Trail. City Planner Hunting stated that based on width, it would be allowed on one side of Agate Trail as well as on 71st Street (on the south side of the structure).

Commissioner Clancy inquired about overflow parking availability. City Planner Hunting stated that parking would be available along the city streets.

Commissioner Wipperman questioned if the footprint of the building changed or the number of floors to allow for the increase in units. City Planner Hunting stated that the layout of the building changed and that in the originally approved plan the number of floors was not specified.

Commissioner Clancy questioned if the original plan had an insufficient number of parking stalls. City Planner Hunting confirmed that it did and that the original plan was a concept plan.

Commissioner Schaefer stated that the request contains a 65-unit increase, a shortfall of 73 parking spots, and fewer trees. City Planner Hunting confirmed the first two but clarified that the landscaping is a condition of approval; they will need to provide more trees. Schaefer questioned whether the unit increase corresponds with the parking stall shortfall. Hunting clarified that in the Northwest Area, the required amount of parking is 1.87 times the number of units. For 180 units, that would be 336 parking stalls required. The current proposal includes 381. Schaefer clarified that if the units were not increased, they would have more than sufficient parking with 381 stalls. Hunting confirmed, but the developer might alter other things if the unit increase were to be denied. Schaefer inquired if the developer would still meet the density requirement without the unit increase. Hunting confirmed that they would. Schaefer inquired what the reasoning is for the unit increase. Hunting stated that would be a question for the applicant.

Commissioner Presley questioned whether street parking would be allowed during winter months. City Planner Hunting stated no, overnight street parking is not allowed in winter per city ordinance.

Chair Weber clarified that with the current number of planned parking stalls, they could have 204 units based on the city code.

Opening of Public Hearing

Robb Lubenow, 1834 East 38th Street, Minneapolis, Yellow Tree Development, Applicant, stated that he had received the staff report and understood it. The building will be a mixed-income, mixed-age building for young people, teachers, retirees, etc. Parking is planned by looking at the bedroom numbers & usage information in the metro area. The company's internal metrics indicated that the current parking plan will have 30 extra parking spaces, after accounting for visitors and maintenance worker parking spaces.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Commissioner Heidenreich inquired about snow removal during the winter months. Mr. Lubenow stated that the snow will be retained on site when possible and hauled off site when necessary.

Pete Keely, 708 15th Ave Northeast, Minneapolis, Collage Architects, stated that the footprint of the building is the same; the shape of the building changed to create more interest and to give nearby neighbors on the south side more space. He explained that this building will predominantly have studio and one-bedroom units. The International Traffic Engineers Group data was used to argue that one parking stall per bedroom, plus visitors, will be an appropriate estimate for a building of this type. Outdoor amenity spaces with trees and plantings will be added, rather than big areas of impervious surfaces. The owners are confident the proposal contains enough parking to lease the units.

Commissioner Clancy inquired about monitoring guest parking. Mr. Lubenow stated that the enclosed as well as exterior parking spots will be assigned, and there will be set aside visitor parking and maintenance spaces, with overnight parking potentially not allowed in exterior spaces. The proposed 30 percent increase in units did not come from increasing the building size or number of residents; it came from shifting to smaller units. The proposal has more than the required amount of enclosed parking.

Commissioner Schaefer inquired about the rationale for the unit increase. Mr. Lubenow stated that the nodes of the new design allow for more amenities for residents. He estimated that the project initially had over half 2-bedroom units, which is not consistent with the entry-level renter (down to 60% AMI) target of his company's development. Additionally, he stated that the current design allows for more efficiency.

Commissioner Schaefer stated that the preliminary design was for larger family units, and this design is more for single people, but probably would allow for about the same number of residents. Mr. Lubenow stated that he would have to look at the original plan to confirm that.

Commissioner Schaefer inquired about nearby public transport. Mr. Lubenow stated that there is a bike path nearby but no bus stops. Schaefer stated that the residents of the building will then most likely need a car.

Chris Becker, 1210 70th Street West, stated that he is not against mixed-use development as a housing affordability tool, but is opposed to this market-value, high-density development. Large complexes dilute the feeling of the neighborhood. With there being no public transportation in the area, there is an anticipation of increased congestion and risks to pedestrians.

Linda Becker, 1210 70th Street West, stated that she is opposed to the size of the building, as it will dwarf the 26 houses that will be built adjacent to the complex. There are currently no four-story buildings in the Northwest Area. The four-story building will define the character of the neighborhood, and there is no buffer in this case between the large building and the single-family homes. Consider adding buffers and deny the unit increase.

Chair Weber closed the public hearing.

Planning Commission Discussion

Motion by Clancy, Second by Teiken, to Adopt additional emails and renderings into the public record that were received for this specific item.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Ayes: 7

Nays: 0 Motion Carried.

Chair Weber stated that it's a nice change that the apartment building is being proposed in advance of the single-family homes around it.

Commissioner Clancy stated that the Northwest Area has been targeted to increase density. There are benefits of increased density to the city, including increased commercial reach and more parks and trails made possible by an increased tax base. The applicant's current plan fits that goal, and the parking does not concern him given his knowledge of parking usage in the metro area.

Commissioner Schaefer stated that she was hoping to get more information on the rationale for the unit increase, and that it seems like it is more an economic decision that makes sense for the developer than a decision based on changing for demographics/demands. She is reluctant to approve 64 more units.

Chair Weber stated that the staff report contains a breakdown of the proposed unit mix and inquired if the original proposal that was approved included a similar breakdown. Hunting stated that the original did not, the plan was more conceptual, without elevations or mention of unit types.

Chair Weber inquired about the maximum allowable building height of 70 feet. Hunting stated the building height is found to be a maximum of 62 feet. Mr. Keely confirmed that the maximum building height is 62 feet.

Commissioner Heidenreich stated that the parking is not adequate for the proposed unit increase. He is not opposed to high-density housing but is not willing to waive the parking requirement.

Chair Weber echoed the concern about the possibility of not having enough parking.

Commissioner Wippermann stated that he considers a four-story building too high for a residential area.

Chair Weber stated that the maximum building height in the Northwest Area Overlay District is 70 feet.

Commissioner Teiken stated that there is importance in having a variety of housing and affordability levels. With the units being smaller, there will be fewer people and thus fewer vehicles per unit. There's no public transit currently in this area, but with more people, there could be a call for more transit options; with growth comes commensurate services.

Planning Commission Recommendation

Motion by Clancy, Second by Teiken, to Approve the Preliminary PUD Amendment and Final PUD subject to the seven conditions noted in the staff report.

Ayes: 4

Nays: 3 (Heidenreich, Schaefer, Wippermann) Motion Carried.

The item is estimated to go before the City Council the 2nd week of April.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

C. Major Site Plan Approval to construct parking lot improvements for a bus corral on the north side of the building at Hilltop Elementary School located at 3201 68th Street East (Bolton & Menk, Inc. - Case No. 24-09SP)

Reading of Public Notice

Secretary Presley read the Public Hearing Notice. Notices were mailed to 115 property owners on February 29, 2024.

Presentation of Request

City Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Chair Weber inquired about a potential owner of a small portion of property. City Planner Hunting stated that according to Dakota County, the School District, and our city Attorney it was found that no one owns the property.

Commissioner Schaefer questioned if they would maintain a play area for the children. City Planner Hunting stated that Inver Grove Heights Schools Superintendent Dave Bernhardson can answer that question.

Opening of Public Hearing

Bill Diede, 3300 Fernbrook Lane North, Plymouth, Bolton & Menk, Inc., Project Engineer, Applicant, stated that he has read the staff report and understands it. In addition to bus parking stalls, the area will be marked for hard-surface play (e.g., foursquare.)

Commissioner Clancy questioned if the school was seeking a quiet title action plan to determine property ownership of the area with no owner.

Dave Bernhardson, 2990 80th Street East, Inver Grove Heights School District, Superintendent, stated that the School District extensively researched the property and found no owner, and that if someone does come forward, they will work through that process. The school has green play space, and when parking stalls are not being used for buses, this area will be used as a recess play space. It will also be used for special events. This solution will keep the buses out of the residential area in front of the school where they are currently dropping off.

Commissioner Teiken inquired about the corral's impact on congestion. Superintendent Bernhardson stated that this change will expedite traffic in the area during the morning and afternoon rush. The contracted bus company, Safeway, is just north of the area, so it will be easy access for them as well.

William Frison, 6802 Carleda Avenue East, stated that he lives on the south side of the school, and the bus traffic is currently terrible. The corral would make things worse.

Chair Weber stated that this proposal moves the traffic to the north side of the building.

Superintendent Bernhardson stated that he spoke with the property owner of the apartment building located north of the school, and they're in support of the corral because it will provide easier access for the children to the school.

Chair Weber closed the public hearing.

Planning Commission Meeting Minutes

Tuesday, March 19, 2024

Planning Commission Recommendation

Motion by Wippermann, Second by Schaefer, to Approve a Major Site Plan Approval for the bus corral parking lot expansion, subject to the five conditions listed in the staff report.

Ayes: 7

Nays: 0 Motion Carried.

The item is tentatively scheduled to go before the City Council on April 8, 2024.

5. REGULAR BUSINESS

None.

6. ADJOURN

Motion to adjourn the meeting at 9:21 p.m.

Respectfully submitted by Will Clashe, Recording Secretary.