



Inver Grove Heights Planning Commission
Tuesday, May 7, 2024 at 7:00 PM
8150 Barbara Avenue, Inver Grove Heights, MN 55077

AGENDA

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Stacy Bodsberg (sbodsberg@ighmn.gov). Comments received prior to 4:00 p.m. on Tuesday, May 7, 2024, will be provided to the Council at or before the May 7, 2024 meeting.

1. **Call to Order**
2. **Roll Call**
3. **Consent Agenda**
 - A. Minutes of the April 16, 2024, Planning Commission Meeting.
4. **Public Hearing**
 - A. Rezoning request to change from the current R-1C, Single-Family Residential District to B-3, General Business District. (Nicholas Bazan - Case No. 24-13Z)
5. **Regular Business**
6. **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 Stacy Bodsberg, Community Development Support Specialist, at 651.450.2545 or sbodsberg@ighmn.gov.

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, April 16, 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
Lance Twedt
Robert Heidenreich
Aida Schaefer
Dennis Wippermann
VACANT SEAT

Commissioners Absent: None.

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

3. CONSENT AGENDA

A. Minutes of the March 19, 2024, Planning Commission Meeting.

Minutes were approved as submitted.

4. PUBLIC HEARING

A. Variance request for a parking pad that encroaches into the side and rear setbacks of the property located at 4020 75th Street East. (Marco Contreras - Case No. 23-49V)

Reading of Public Notice

Secretary Presley read the Public Hearing Notice. Notices were mailed to 7 property owners on March 28, 2024.

Presentation of Request

Associate Planner Botten presented a summary of the staff report.

Planning Commission Discussion

Commissioner Schaefer inquired if neighbors had any concerns. Botten stated that no comments were received.

Opening of Public Hearing

Marco Contreras, 653 Concord Street North, St. Paul, Applicant, stated he has read and understands the staff report.

Chair Weber closed the Public Hearing.

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Planning Commission Discussion

Commissioner Clancy stated that the Planning Commission tries to work with property owners to navigate the City Code requirements. Agrees with staff recommendations to approve the side setback Variance and deny the rear setback Variance in this case.

Chair Weber stated that the side setback makes sense given the existing building's location and is in favor of requiring the 10-foot setback to bring the pad in line with the rest of the parking lot.

Commissioner Twedt questioned what would happen if the rear setback was denied.

Chair Weber confirmed that the portion not in compliance would have to be removed, with sod or landscaping installed, by July 30th, 2024.

Commissioner Twedt clarified that just the rear part of the pad could be removed, and Chair Weber confirmed.

Planning Commission Recommendation

Motion by Clancy, Second by Teiken, to Approve the Variance request to allow a parking pad to be located within the side (east) setback subject to the two conditions listed in the staff report.

Ayes: 8

Nays: 0 Motion Carried.

Motion by Clancy, Second by Presley, to Deny the Variance request to allow a parking pad to be located within the rear (south) setback based on the rationale listed and subject to the one condition listed in the staff report.

Ayes: 8

Nays: 0 Motion Carried.

The item is tentatively scheduled to go before the City Council on May 13, 2024.

B. Major Site Plan Review to construct a new control building at Xcel Energy's Westcott Natural Gas Plant located at 10326 S. Robert Trail and identified as PID No. 20-03000-25-021. (TKDA - Case No. 24-11SP)

Reading of Public Notice

Secretary Presley read the Public Hearing Notice. Notices were mailed to 42 property owners on March 28, 2024.

Presentation of Request

Associate Planner Botten presented a summary of the staff report.

Opening of Public Hearing

Kirstin Sersland, 3000 Maxwell Ave, Newport, Xcel Energy, Community Relations Manager, Applicant, stated she has read and understands the report.

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Chair Weber inquired about the hatched areas shown on the plans. Amanda Kieffer, 444 Cedar Street, Suite 1500, St. Paul, TKDA, Civil Engineer, stated that those areas are bituminous pavement. One alternate area that could be bituminous or gravel, with more gravel areas on the outskirts as well.

Chair Weber inquired about the loading dock indicated on the plans. Kieffer responded that there are occasional deliveries and that the loading dock would facilitate the use of trolleys.

Chair Weber closed the public hearing.

Planning Commission Recommendation

Motion by Clancy, Second by Heidenreich, to Approve the Major Site Plan Review subject to the five conditions noted in the staff report.

Ayes: 8

Nays: 0 Motion Carried.

The item is tentatively scheduled to go before the City Council on May 13, 2024.

5. REGULAR BUSINESS

None.

6. ADJOURN

Motion to adjourn the meeting at 7:19 p.m.

Respectfully submitted by Will Clashe, Recording Secretary.



Planning Commission Report

MEETING DATE:	May 7, 2024
CASE NO:	24-13Z
APPLICANT:	Nicholas Bazan
PROPERTY OWNER:	Same as Applicant
REQUEST:	Rezoning
LOCATION:	6211 Concord Boulevard
COMPREHENSIVE PLAN:	MU, Mixed Use
ZONING:	R-1C, Single-Family Residential
STAFF CONTACT:	Heather Botten, 651.450.2569

ACTION REQUESTED

The specific request includes the following:

- Rezoning of the property from R-1C, Single-Family Residential District to B-3, General Business District.

BACKGROUND

The applicant's property is 13,021 square feet in size, and is located on the west side of Concord Boulevard. There is an existing two-car garage on the property. The previous owner demolished the single-family home that was previously on the property in 2020. The current property owner purchased the property in January 2023, with the intent of using the site for the storage of commercial vehicles. After conversations with city staff, the owner learned about the zoning inconsistency and is requesting the property be rezoned to B-3, General Business.

If the Rezoning application is approved, an application for a Conditional Use Permit would be required to allow for the open storage of commercial vehicles before the property would be in compliance. This subsequent process would provide for public review and comment on an actual site plan.

EVALUATION OF REQUEST

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

North:	Single-Family Residential	Zoned: R-1C, Single-Family Residential	Guided: MU, Mixed Use
East:	Landscape Company	Zoned: I-1, Limited Industrial	Guided: MU, Mixed Use
West:	Single-Family Residential	Zoned: R-1C, Single-Family Residential	Guided: LDR, Low Density Residential
South:	Single-Family Residential	Zoned: R-1C, Single-Family Residential	Guided: MU, Mixed Use

REZONING

The City Code, Title 10-3-5 states that a Rezoning request must be in the best interest of the physical development of the City in order to be approved. This suggests that the request should be reviewed against such factors as infrastructure availability; compatibility with existing land uses in the neighborhood; and consistency with the Comprehensive Plan.

Infrastructure

If needed, City sewer and water are available at the site. No additional roadways or other public improvements are necessary with this request.

Neighborhood Compatibility

The property is triangular in shape, and located between Concord Boulevard and Delaney Way. The primary access is onto Concord Boulevard. On the east side of Concord Boulevard there are heavier industrial uses, including contractor yard types of uses. There are residential homes located directly north, west, and south of the proposed property. The change to B-3, General Business, would be considered spot zoning. The closest commercial zoning on the west side of Concord Boulevard would be over 1,000 feet away to the north and south. Even though the applicant's use is a low intensity use, changing the zoning to B-3 would potentially allow for all types of commercial uses on the lot.

Comprehensive Plan Consistency

The applicant is proposing to change the zoning of the parcel to B-3, General Business. This would be consistent with the current Mixed Use land use designation of the parcel in the Comprehensive Plan.

Mixed Use is defined in the 2040 Comprehensive Plan as follows:

"Mixed Use areas consist of lots or parcels that contain a mix of retail and service commercial, office institutional, higher density residential, public uses and/or park and recreation uses, organized in a pedestrian friendly environment. It is expected that 1/3 of these areas develop as non-residential uses."

The Comprehensive Plan also references the Concord Boulevard neighborhood, stating:

"Redevelopment of the Concord Boulevard corridor is an important future improvement that will support the significant investment in Heritage Park and reconstruction of Concord Boulevard and

provide an important critical mass that helps sustain commercial development in Inver Grove Heights."

In 2013, the City adopted the Concord Boulevard Neighborhood Plan. This plan reviewed redevelopment possibilities from the border of South St. Paul down to 70th Street and Concord Boulevard. The proposed parcel is contained in the area called Concord North. The plan anticipated redevelopment of this area in a series of townhouse/medium density residential developments on the west side of Concord Boulevard.

ALTERNATIVES

The Planning Commission has the following actions available for the request:

A. Approval. If the proposed request is found to be acceptable, the following action should be taken:

- Approval of the Rezoning from R-1C, Single-Family Residential District to B-3, General Business subject to the following condition:

1. The Rezoning shall not become effective until a Conditional Use Permit for open storage has been approved by City Council. The Conditional Use Permit shall be approved within twelve (12) months of Council action, or the rezoning shall be null and void.

B. Denial. If the Planning Commission does not favor the proposed Rezoning, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis of the denial should be given.

RECOMMENDATION

The primary question to answer is what the most appropriate use for the property should be. Would a change to commercial zoning be a benefit to the city. Should the redevelopment of Concord Boulevard go in a different direction than the current residential zoning on the west side of Concord Boulevard and the Concord Boulevard Neighborhood Plan.

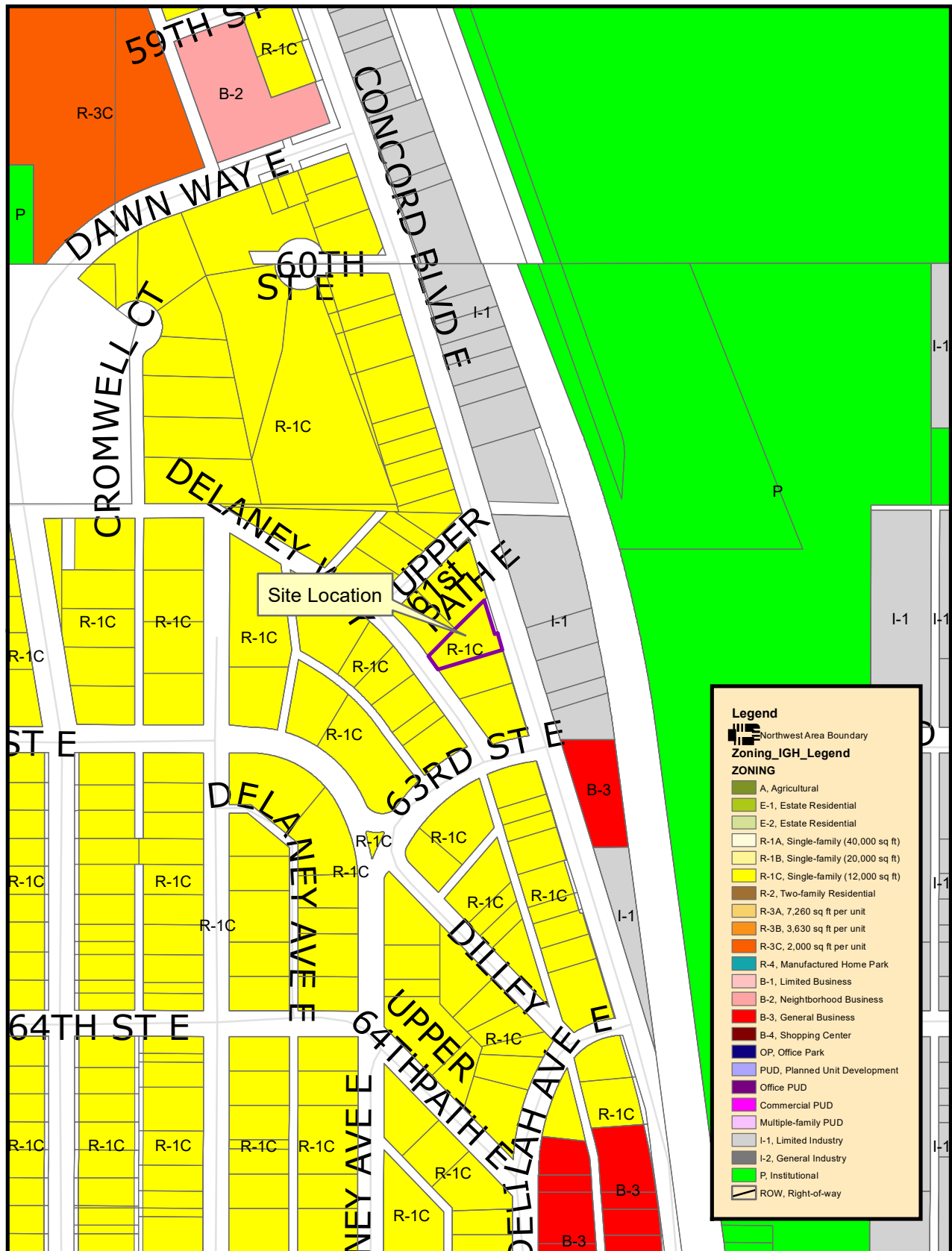
Based on the current residential uses, the lack of redevelopment in the area, and the Concord Boulevard Neighborhood Plan, staff is recommending denial of the rezoning request.

ATTACHMENTS

1. Zoning and Location Map
2. Applicant Narrative
3. Map from the Concord Boulevard Neighborhood Plan
4. E-mails from Residents (2)



6211 Concord Blvd Case No. 24-13Z



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

To Whom it may concern:

This letter is to pursuant to the requirement of the rezoning or permission to the continuation for the parking of our working trucks.

My name is Nicholas Bazan and I with my father have worked very hard for some many years to finally obtain a loan for the purchase of the lot located on 6211 Concord Blvd, with the dream and the goal of parking our family business.

We been here over a year, and we never caused any issues to our neighbors or neighborhood in fact our neighbors told us and we noticed too that the area improved after we move in because there is more clear understanding of the property lines, we also level and graded the lot of our neighborhood for better parking access and for the location feeling more secure and less abandon.

We consider and our neighbors agreed that is better to have a space for parking versus having an empty lot that can cause higher risk of malicious people surrendering or homeless people taking over.

We hope and we have faith that you can consider us and grant us permission to continue parking our trucks as we been doing it since we purchased the lot.

We know the person that reported us to the city and submitted the complaint was a drug dealer and she has been already evicted by her landlord, seems like she wasn't content of the fact that we always were around the lot and our cars coming through because was affecting her malicious business harming this society.

We want to make sure we are following our city and be cooperative to do what is necessary for the rezoning in our lot and park our trucks with peace in our existing land.

 3-25-2024

Owner Signature

CONCORD NORTH:

TOWNHOUSE/ROWHOUSE DEVELOPMENT WEST OF CONCORD:

The Plan for Concord North District includes medium density housing redevelopment on the west side of Concord Boulevard. This housing should front the street with quality facades and building materials. Automobile access should be from the rear of the buildings to manage access points on and off of Concord Boulevard. These redevelopments include the current Dakota County CDA properties and could serve as a catalyst site for redevelopment. As these parcels are redeveloped, space should be identified for green space/pocket parks to provide easily accessible open space for residents. A park facility may be part of a private facility or public parklands.



SERVICE COMMERCIAL EAST OF CONCORD:

This area should serve as a transition area, capitalizing on turnover in the area to redevelop





6239 Concord Boulevard - Perspective on lot next door

1 message

Scott Morris

Thu, Mar 28, 2024 at 8:21 AM

To: hbotten@ighmn.gov, trainey@ighmn.gov, "nickbaz <, Jake Bocht

Good morning,

The purpose of this email is to weigh in on the property and to the northside of our building. Jake & I own 6239 Concord Boulevard, under Jake & Scott Properties, LLC.

We wanted to let the powers that be know that we have no issues with the current use of the property. The owner, Nicholas, has been an excellent neighbor. He's making improvements to the lot. He cares about the condition and maintains it in a sightly manner.

If you have any questions please do not hesitate to contact Jake or me.

All the best,

Scott Morris

Jake & Scott Properties, LLC

Office Address:
545 2nd Street #658
Excelsior, MN 55331

From: [Dammitdave](#)
To: [Stacy Bodsberg](#)
Subject: Nicholas balance case no. 24-13z
Date: Tuesday, April 23, 2024 8:14:26 PM

Dave Tabor here Living at 4075 upper 61st. I don't have a problem with the zone change.

Dave Tabor

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