



Inver Grove Heights Planning Commission
Tuesday, June 3, 2025 at 7:00 PM
8150 Barbara Avenue, Inver Grove Heights, MN 55077

AGENDA

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Stacy Bodsberg (sbodsberg@ighmn.gov). Comments received prior to 4:00 p.m. on Tuesday, June 3, 2025, will be provided to the Commission at or before the June 3, 2025, meeting.

1. **Call to Order**
2. **Oath of Office**
3. **Roll Call**
4. **Election of Officers**
 - A. Election of 2025 Planning Commission Chair, Vice-Chair and Secretary.
5. **Consent Agenda**
 - A. Minutes of the May 6, 2025, Planning Commission Meeting.
6. **Public Hearing**
 - A. Consider a Request for Rezoning from A, Agricultural to R-3A, Multiple-Family Residential; Easement Vacation to Vacate an Existing Drainage & Utility Easement; and Preliminary Plat for a two-lot Subdivision to be known as Orchard Heights 3rd Addition located at 1845 77th Street West. *Motion to Table Item to the July 1, 2025, Planning Commission Meeting.*
 - B. Consider Requests for Rezoning from A, Agricultural to E-1, Estate; and a Variance from the minimum lot size requirements for the E-1, Estate Zoning of 2.5 acres; and a Waiver of Plat to forgo the full preliminary and final plat process for the property located at 1120 Alaureate Court.
 - C. Consider a Request for Zoning Text Amendment to Title 10 of the City Code (Zoning Regulations), Chapter 15, Section 10-15-17: Exterior Building Materials, Relating to Hoop Structures.
 - D. Consider a Request for Zoning Text Amendment to Title 9 of the City Code (Building and Development), Chapter 2, Section 9-2-4: Limits for Storage of Certain Hazardous Materials, and to Title 10 of the City Code (Zoning Regulations), Chapter 6, Section 10-6-2: Land Uses in All Nonresidential Districts, related to above-ground and fuel storage tanks.
7. **Regular Business**
8. **Adjourn**

June 3, 2025 - Planning Commission Agenda

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, May 6, 2025 - 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*)
Aida Schaefer
Lance Twedt
Jason Teiken
Robert Heidenreich
Amy Hunting
Dennis Wippermann

Commissioners Absent: None

Staff Present: Jason Ziemer, Community Development Director
Kevin Shay, Planning Manager
Ben Schneider, Senior Planner
Stacy Bodsberg, Community Development Support Specialist

3. CONSENT AGENDA

A. Minutes of April 1, 2025, Planning Commission Meeting.

Motion by Presley, Second by Hunting, to Approve the Minutes as Submitted.

Ayes: 9

Nays: 0 Motion Carried.

4. PUBLIC HEARING

A. Consider a Request for Rezoning from A, Agricultural to R-3A, Multiple-Family Residential; Easement Vacation to Vacate an Existing Drainage & Utility Easement; and Preliminary Plat for a two-lot Subdivision to be known as Orchard Heights 3rd Addition located at 1845 77th Street West.

Motion by Twedt, Second by Schaefer, to Table Item to the June 3, 2025, Planning Commission Meeting.

Ayes: 9

Nays: 0 Motion Carried.

B. Consider Requests for Preliminary Plat Approval of Inver Wood Golf Course Addition, and Comprehensive Plan Amendment from the current P, Public to MU, Mixed Use and Rezoning from the current Public to R-3C, Multiple Family Residential for a 4.252-Acre Parcel Identified as Outlot A in the Preliminary Plat, Located Across 70th Street from 1850 70th Street.

Reading of Public Notice

Secretary Presley read the Public Hearing Notice.

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Motion by Teiken, Second by Heidenreich, to include eight emails into the record.

Ayes: 9

Nays: 0 Motion Carried.

Presentation of Request

Community Development Director Ziemer presented the staff report on the following recommended actions:

Preliminary Plat

- The subject property has two lots that the Economic Development Authority (EDA) bought in 2012 using city funds and a \$1,000,000 loan from the Host Community Fund to finance renovation work at Inver Wood Golf Course.
 - Current land use: Public Parks & Open Space
 - Current zoning: P, Institutional
- One of these EDA-owned lots contains the golf course's septic system; therefore, it is not developable, and the goal is to combine it with other Inver Wood Golf Course lots and create one lot
- The other EDA-owned lot (4.25 acres) will be split out from Inver Wood Golf Course, with the goal of allowing future development
- Subdivision:
 - Golf Course: Lot 1, Block 1 (243,885 acres)
 - EDA: Outlot A (4.252 acres)
 - Right-of-Way: 7,768 acres
 - These areas are already under prescriptive use by the county, so dedication is a formality.
- Drainage & Utility Easements
 - None dedicated with Inver Wood Golf Course or Outlot A
 - If Outlot A were to be developed in the future, a replat would be needed
- Outlot A complies with all minimum lot dimensions (Public Institutional, R-3C, etc.)

Proposed Land Use and Zoning

- Suggested land use: Mixed Use
 - Allows for more flexibility for development
- Suggested zoning: R-3C, Multiple Family Residential
 - Land Use and Zoning must match
 - Currently, there is no Mixed Use zoning district corresponding to the Mixed Use land use, but R-3C and B-3 are the closest matches
 - Eventually, a Mixed Use zoning district could be created (or use PUD, which would come at the time of development)
 - Community Development Director Ziemer stated that the EDA owns the land and controls it. The EDA is not intending to sell it except for development purposes, and developers would need to enter an agreement with the EDA to proceed with specific plans.
- Zoning option considerations
 - R-3C, Multiple Family Residential
 - Most likely development outcome
 - Area currently contains many zoning types and uses (golf course, church, cemetery, rural residential, urban single-family, twin homes, quad homes)

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- B-3, General Business
 - Retail uses would be complicated by the property's distance from Highway 52
- Create MU, Mixed Use Zoning District
 - Opportunity for higher-density residential with supportive commercial and service uses (e.g., medical clinic)
 - Proximity of golf course will help attract development partners

Staff Recommendations

- 1) Motion to recommend to City Council approval of Preliminary Plat for Inver Wood Golf Course Addition with the following condition:
 - a. Adjustment of the lot line adjacent to Babcock Trail & 70th Street to accommodate additional right-of-way needs for Dakota County 70th Street reconstruction.
 - i. The County's plan design includes right-of-way to allow for a roundabout, but it is not a significant amount of land.
- 2) Motion to recommend to City Council approval of the Comprehensive Plan Amendment to reguide Outlot A of Inver Wood Golf Course Addition from Public Parks & Open Space to Mixed Use.
- 3) Motion to recommend to City Council approval of the Rezoning of Outlot A of Inver Wood Golf Course Addition from P, Institutional to R-3C, Multiple Family Residential.

Planning Commission Discussion

Commissioner Teiken asked on behalf of the public what the EDA stands for and an explanation of its role in the City. Community Development Director Ziemer stated that the Economic Development Authority (EDA) is made up of all five City Council members. Its role is business attraction, retention, and development within the community. The EDA can buy/sell land, participate in development, etc.

Commissioner Teiken inquired about the future creation of a Mixed Use zoning district in the city code. Ziemer stated that there have been conversations with planning staff about priorities for updating code elements; because Mixed Use is a current land use, there should be a Mixed Use zoning district so that strict compliance is possible.

Commissioner Teiken inquired as to whether any developers are currently interested in the property. Ziemer stated that there are interested developers, but none are actively pursuing development at this time.

Chair Weber inquired what the maximum building height is in R-3C zoning districts. Planning Manager Shay stated that 35 feet is the maximum building height in R-3C zoning districts.

Commissioner Presley questioned why this request is being brought forward now. Ziemer stated that when EDA wants to market a property, establishing land use/zoning helps identify potential development partners.

Commissioner Presley inquired about current uses of the property by the church across the street. Ziemer stated that he isn't aware of any agreements in place between the city and church for the use of overflow parking or snow storage.

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Commissioner Wippermann inquired as to what type of residential uses are included in R-3C zoning. Ziemer stated that R-3C uses tend to be apartments due to the minimum density threshold of 12 units per net acre.

Opening of Public Hearing

Kurt Rechtzigel, 1407 80th Street, stated that he owns the property right next door, to the north, at 6985 Babcock Trail. There were utilities on the property without easements. Asked for an easement to be added on the City property so that utilities (overhead powerlines, fiber, etc.) can be relocated off his property.

Peter Forrest, 7330 Bancroft Way, stated that road construction on 70th Street is being scheduled for 2028. Would be surprised if a developer was interested in Outlot A until that construction was complete. Is not oppose to replatting the golf course or the residential zoning designation. But opposed commercial development, and for that reason, opposed the change to Mixed Use.

Chair Weber questioned if Mixed Use allowed for split use, e.g., an apartment building with a coffee shop on the first level. Ziemer stated that it did.

Paul Willig, 6930 Athena Way, stated that his property is north of the item lot, and he and his family have lived there for 35 years. A petition was started and signed by 41 neighbors, opposing any commercial use of the property. Also did not agree with land use that would result in apartment buildings being added. During research he found a higher maximum height for R-3C of 70 feet. That height would not fit in the area. He mentioned a project nearby where the Planning Commission decided that apartment buildings were not a good fit. Raised traffic concerns, mentioning that the only exit to 70th Street is by Athena Way. R-3A would be a better fit. A commitment made by a prior Mayor and City Council to limit development to single-family homes or townhomes.

Diane Rademacher, 6560 Arlene Ave, stated that she has traffic concerns about Mixed Use given the 70th Street reconstruction plans. Would be in support of R-3A. An apartment building would be a scary idea for the area. She stated that she would like to see more detached townhomes to give people an opportunity to downsize and stay in the area.

Jacob Gundry, 6910 Athena Way, stated that he liked having the green space nearby but understood the need for development. Would suggest waiting to reguide/rezone the parcel until there was a specific developer request. Also suggested to wait until the 70th Street reconstruction is complete. Stated that apartment residents would park on the street nearby and that this would threaten the safety of current residents.

Therese Petersen, 6525 Arlene Ave, stated that she was opposed to Mixed Use and suggested R-3A instead. Traffic concerns, and townhomes would be a better fit.

Tim Petersen, 6525 Arlene Ave, stated that he opposed Mixed Use and was in favor of R-3A. There is a strip mall nearby that has many vacancies. If that Mixed Use area is struggling even with a bank, a restaurant, and a Target attached, this development would run into issues retaining businesses.

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Larry Nelson, 6855 Arlene Ave, stated that a connection to Babcock Trail was needed, regardless of the outcome of the 70th Street reconstruction. He feels R-3A is a better fit. Did not understand why it was necessary for the reguiding/rezoning of the parcel at this time.

Planning Commission Discussion

Commissioner Hunting inquired about the difference between R-3A and R-3B. Ziemer stated that those are all considered multi-family zoning districts. R-3A's density threshold is 4-8 units per net acre. R-3B's is 8-12 units per net acre. R-3C's is 12 to 35 units per net acre. All districts allow for residential use, but there are different density constraints for each.

Commissioner Schaefer questioned what the EDA's goal is for the parcel. Ziemer stated that the EDA acquired the lots in 2012, and the reorganizing to reduce barriers for development was intended to happen then. The goal is to get the one lot on the market for development in the near future. They feel that Mixed Use would create more development opportunities, including retail and restaurants.

Commissioner Schaefer inquired if the zoning could be changed in the future and indicated a preference for R-3A due to the current lack of a Mixed Use zoning district. Ziemer stated that zoning could be changed in the future. The only compatible zoning options in front of the Commission were R-3C and B-3. Schaefer clarified that the Commission's options were R-3C, B-3, or deny. Ziemer confirmed in the affirmative.

Commissioner Hunting inquired whether, if approved as an R-3C district, that could be changed in the future. Ziemer stated that it could and would like the commission to split the motions into three different motions.

Motion by Clancy, Second by Presley, to Approve the Preliminary Plat creating a 4.252-acre Outlot, subject to the condition listed in the Staff Report.

Ayes: 9

Nays: 0 Motion Carried.

Commissioner Hunting asked if the Comprehensive Plan Amendment were denied, if there would still need to be action on the Rezoning. Planning Manager Shay stated that if the Comprehensive Plan Amendment were denied, action on Rezoning would still be needed.

Commissioner Clancy stated that he was in favor of the Comprehensive Plan Amendment.

Chair Weber mentioned that Mendota Heights has a successful mixed-use area.

Commissioner Schaefer stated that she opposed the Comprehensive Plan Amendment due to not knowing what the standards for the Mixed Use zoning district would be.

Motion by Clancy, Second by Teiken, to Approve the Comprehensive Plan Amendment to reguide Outlot A from the current P, Public to MU, Mixed Use zoning district.

Ayes: 8

Nays: 1 (Schaefer) Motion Carried.

Motion by Clancy, Second by Twedt, to Approve the Rezoning of Outlot A from the current Public to R-3C, Multiple Family Residential.

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Ayes: 3

Nays: 6 (Weber, Presley, Heidenreich, Hunting, Wippermann, Schaefer) Motion Fails.

This item is tentatively scheduled to go before the City Council on May 27, 2025.

Community Development Director Ziemer stated that the land use/zoning mismatch would need to be resolved in a future meeting (depending on City Council's decision.)

Planning Manager Shay stated that a motion to deny was also needed.

Motion by Weber, Second by Schaefer, to Deny the Rezoning of Outlot A from the current Public to R-3C, Multiple Family Residential.

Ayes: 7

Nays: 2 (Teiken, Clancy) Motion Carried.

C. Consider Requests from Builders Lot Group for Approval of Rezoning from A, Agricultural to PUD, Planned Unit Development; and Easement Vacation to Vacate an Existing Drainage and Utility Easement; and PUD Amendment to include the two newly created lots as buildable lots in the Peltier Reserve PUD; and Preliminary Plat to create two buildable lots for Peltier Reserve 3rd Addition located at PID No's 20-56900-00-080 & 20-00700-05-019.

Reading of Public Notice

Secretary Presley read the Public Hearing Notice.

Presentation of Request

Community Development Director Ziemer presented the staff report.

The subject property is known as Outlot H of Peltier Reserve subdivision. It is 0.28 acres, plus a small triangular area (3,050 square feet) that is currently outside the PUD.

Development History and Approvals

- Part of 125-unit residential subdivision on Agate Trail
- Preliminary Plat and PUD plan: May 2021
- Final Plat and PUD plan: August 2021

Current Land Use and Zoning

- Outlot H: Medium Density Residential / PUD
- Triangle Area: Medium Density Residential / Agricultural (part of larger adjacent lot)

Proposed Land Use and Zoning

- No change proposed to Land Use for triangle area
- Proposed rezoning is PUD

Preliminary Plat

- Parcel total area: 15,038 square feet
- Outlot H: 12,258 square feet
- Triangle area: 3,050 square feet

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Proposed Lots

- Lot 1, Block 1: 8,284 square feet
- Lot 2, Block 2: 7,024 square feet

Proposed New PUD Standards

- New low-density category specific to the two above lots
 - Needed given that the depth of other properties is larger (125-130 feet), though all areas are consistent
- Width: 66 feet to 92 feet
- Depth: 113 feet
- All other minimum standards consistent with the existing PUD

Drainage & Utility Easements (DUEs)

- Vacate existing DUEs over Outlot H
- On Lot 1, there are 2 DUEs consistent with development standards

Staff Recommendations

- 1) Motion to recommend approval of Preliminary Plat for Peltier Reserve 3rd Addition and Amendment to the Peltier Reserve PUD to incorporate the additional 2 lots and a 3,050 square foot area previously outside of the Peltier Reserve PUD.
- 2) Motion to recommend approval of the Rezoning from A, Agriculture to PUD, Planned Unit Development of a 3,050 square foot area described in the Preliminary Plat for Peltier Reserve 3rd Addition.
- 3) Motion to recommend approval of the Vacation of the Drainage & Utility Easement over all of Outlot H, Peltier Reserve.

Planning Commission Discussion

Commissioner Hunting inquired as to whether there was a purchase agreement in place. Ziemer mentioned two possibilities: the developer could be a subject party when the final plat goes to council, or there could be an entitlement right, meaning if the rezoning was not approved, the purchase agreement would be null and void.

Opening of Public Hearing

Steven Salto, 8170 Oak Heritage Court, Shakopee, Builders Lot Group, Applicant, stated that a purchase agreement is in place and the seller signed the application for this request.

Motion by Wippermann, Second by Clancy, to Approve the Preliminary Plat for Peltier Reserve 3rd Addition and Amendment to the Peltier Reserve PUD to incorporate the additional 2 lots and a 3,050 square foot area previously outside of the Peltier Reserve PUD.

Ayes: 9

Nays: 0 Motion Carried.

Motion by Wippermann, Second by Teiken, to Approve the Rezoning from A, Agriculture to PUD, Planned Unit Development of a 3,050 square foot area described in the Preliminary Plat for Peltier Reserve 3rd Addition.

Ayes: 9

Nays: 0 Motion Carried.

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Motion by Wippermann, Second by Hunting, to Approve the Vacation of the Drainage & Utility Easement over all of Outlot H, Peltier Reserve.

Ayes: 9

Nays: 0 Motion Carried.

This item is tentatively scheduled to go before the City Council on May 27, 2025.

D. Consider a Request from DCI Specialty Contracting, LLC for a Planned Unit Development Amendment to allow for the use of adding an outdoor ATM in the Southeast Quadrant located at 5816 Blaine Ave.

Reading of Public Notice

Secretary Presley read the Public Hearing Notice.

Presentation of Request

Senior Planner Schneider presented the staff report.

Planned Unit Development (PUD) Amendment prompted by the applicant's request to install an ATM kiosk at the Inver Grove Market. This parcel is located in the Southeast Quadrant PUD (Bishop Heights), and there's no underlying zoning district. Because an ATM is not a listed use, the ordinance needs to be amended to allow for that use in this lot.

The ATM will be placed in one parking stall in the northwest corner of the parking lot, and a second parking stall will be removed to accommodate an ADA space, so anticipated impacts are minor.

The available parking at the site (114 stalls) is lower than what would be required if not for the PUD (144 stalls); in 2022, City Council approved a PUD amendment with the rationale that sit-down restaurants have different peak times than retail and fast food. However, there have been no cited parking issues. Furthermore, the ATM is not expected to be a high traffic driver.

A downcast lighting fixture is proposed above the ATM for security and usability.

The PUD requires the parking lot to be screened, and the ATM will be within that screening.

Planning Commission Discussion

Commissioner Presley inquired as to where the request originated from. Schneider stated that there was only one Wells Fargo in the area. Wells Fargo approached the landowner to add the ATM.

Opening of Public Hearing

David Johnson, 7416 132nd Street North, Applicant, stated that he had read and understood the staff report. The closest Wells Fargo is West St. Paul, so Wells Fargo determined there was a need for clients in the area.

Motion by Hunting, Second by Schaefer, to Approve an Amendment to the Southeast Quadrant Planned Unit Development, Bishop Heights, to allow a walk-up ATM kiosk as a Permitted Use at the Inver Grove Market commercial center.

Ayes: 9

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Nays: 0 Motion Carried.

This item is tentatively scheduled to go before the City Council on May 27, 2025.

E. Consider a Request from Yellow Tree Development (Case No. 25-10PDA) for a Planned Unit Development Amendment to change the unit numbers and site plan to construct a four-story, 217-unit apartment building located at 70th Street West and Agate Trail (PID No. 20-56900-13-010).

Reading of Public Notice

Secretary Presley read the Public Hearing Notice.

Presentation of Request

Community Development Director Ziemer presented the staff report.

The subject property is 4.4 acres, located on Lot 1, Block 13 of Peltier Reserve.

Development History & Approvals

- Preliminary Plat and PUD Plan: May 2021
- Final Plat and PUD Plan: August 2021
- PUD Amendment and Final PUD: April 2024
 - 242-unit apartment building

Current Land Use & Zoning

- Land use: Mixed Use and Low Density Residential
- Zoning: PUD

Proposed PUD Amendment

- Unit count amendment (reduced from 242 to 217)
- Bedroom count amendment (reduced from 298 to 269)
- Changes to bedroom composition totals:
 - 1 additional 1-bedroom unit
 - 1 additional 1-bedroom + den unit
 - 10 additional 2-bedroom units
 - 6 fewer 3-bedroom units
 - 5 fewer studio units
- Parking amendment (reduced from 381 to 354 spaces)
 - Higher per-unit ratio (1.63) than was previously approved (1.57)
 - Still well under the Northwest Area required ratio (1.87)
 - 2-level underground parking garage with 267 underground spaces (75%)

The civil plans have been reviewed by the City Engineer, and there are no additional revisions.

Action Recommendation

1) Motion to recommend Approval of the PUD Amendment for the Yellow Tree apartment development project, authorizing a reduction in the total unit count from 242 to 217 and a reduction in the total parking spaces required from 381 to 354 parking stalls.

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Opening of Public Hearing

Robb Lubenow, 1834 East 38th Street, Minneapolis, Applicant, reiterated the changes presented in the staff report.

Chair Weber questioned who the owner was, Silver Tree or Builders Lot Group, due to a discrepancy in the documentation. Mr. Lubenow stated that Silver Tree purchased the lot at the end of January. He added that Yellow Tree is a DBA of Silver Tree. He attributed the discrepancy to the County not having updated the website since the purchase.

Commissioner Schaefer questioned whether the reduction of parking spaces would result in less impervious surface and more green space. Mr. Lubenow confirmed this.

Commissioner Wippermann commented that the changes made will lessen the visual impact of the building, which he is in favor of.

Planning Commission Discussion

Motion by Heidenreich, Second by Twedt, to Approve an Amendment to the Planned Unit Development to change the unit numbers to 217 and the parking spaces to 354.

Ayes: 9

Nays: 0 Motion Carried.

This item is tentatively scheduled to go before the City Council on May 27, 2025.

5. REGULAR BUSINESS

A. Review the Sale of Land Owned by the Inver Grove Heights Economic Development Authority for a proposed industrial development project (Case No. 25-12X) located at 6910 Dixie Avenue (PID 20-17750-06-050), 6940 Dixie Avenue (PID 20-17750-06-071), 6950 Dixie Avenue (PID 20-17750-06-090), and an Unaddressed Parcel on Dickman Trail (PID 20-01100-27-012).

Community Development Director Ziemer gave an informational update on the EDA's Letter of Intent to sell four properties via formal purchase agreement at an upcoming Special Meeting on May 12.

Redevelopment Site – 6 properties total (4 EDA-owned, 2 privately-owned)

- 15 acres
- Concept: small industrial development for trades sector
 - Currently a highly demanded use in the metropolitan area
- Project details:
 - 3 buildings (27,000 square feet)
 - Outdoor storage (169,241 square feet)
 - Jobs: 10-20 per building, 30-60 for overall project

Current Land Use and Zoning

Land Use: Light Industrial

Zoning: I-1, Limited Industrial

Uses: Office, warehousing, outdoor storage

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Statutory Requirements

- Planning Commission review of “proposed acquisition, disposal or improvement” of public land
 - Evaluate and establish findings for compliance with Comprehensive Plan
 - No recommendation of approval/denial

The development includes the potential Vacation of Dixie Avenue for right-of-way.

Action Recommendations

- 6) Motion to advise City Council on the sale of the four lots owned by the Economic Development Authority (EDA) on Dickman Trail and Dixie Avenue and that the proposed end use conform to the 2040 Comprehensive Plan and current zoning, as per the following suggested summary findings (paraphrased):
 - Retain industrial focus of properties
 - Enable business development
 - Improve appearance by removing contamination/blight
 - Use vacant/underdeveloped land more efficiently
 - Enhance property values and generate additional property tax revenues
 - Help deliver municipal services to the area
 - This area is currently underserved by municipal utilities

Commissioner Schaefer inquired if there are currently tenants on the parcels. Ziemer stated that the parcels owned by the EDA are vacant. The other two (privately-owned) parcels do have tenants.

Commissioner Schaefer inquired as to how much the City will receive in proceeds from the sale. Ziemer stated that would be detailed as part of the purchase agreement. Commissioner Schaefer clarified that the action recommendation was solely about compliance with the Comprehensive Plan. Ziemer confirmed that.

Commissioner Hunting stated that she viewed the lots and thought this was a great idea for the area.

Recommendation by Weber, Second by Clancy, to concur with the sale of the subject public properties, based on the findings submitted.

Ayes: 9

Nays: 0 Motion Carried.

Community Development Director Ziemer stated that there will not be a Planning Commission meeting on May 20, 2025. The next meeting will be a Regular Meeting on June 3, 2025.

6. ADJOURN

Motion to adjourn the meeting at 8:31 p.m.

Respectfully submitted by Will Clashe, Recording Secretary.



Planning Commission Report

MEETING DATE:	June 3, 2025
CASE NO:	25-01S
APPLICANT:	Steve Grebin
PROPERTY OWNER:	Same as Applicant
REQUEST:	Rezoning, Vacation of Drainage & Utility Easements, Preliminary & Final Plat
LOCATION:	1845 77th Street West
COMPREHENSIVE PLAN:	LMDR, Low-Medium Density Residential
ZONING:	A, Agricultural
STAFF CONTACT:	Jason Ziemer, 651-450-2546

ACTION REQUESTED

The Planning Commission is asked to table the Public Hearing regarding consideration to Vacate the Drainage & Utility Easements, Rezoning of the Subject Property, the Preliminary and Final Plats until the July 1, 2025, Planning Commission meeting.

BACKGROUND

Steve Grebin ("Applicant"), 1974 77th Street West, Inver Grove Heights, has requested approval of the Vacation of Drainage and Utility Easements (DUEs), Rezoning of the Subject Property, and for the approval of the Preliminary and Final Plats for the property located at 1845 77th Street West (PID: 20-70900-01-020) ("Subject Property"). The Applicant is the owner of the Subject Property.

This Public Hearing for this item, originally scheduled for the March 4, 2025, Planning Commission ("Commission") meeting, was tabled by the Commission to the April 1, 2025, meeting. The Applicant presented to City staff resolution of identified plat and title issues that were in progress but remained unresolved. Thus, City staff requested that the Commission table the Public Hearing on this item to the May 6, 2025, and June 3, 2025, Commission meetings. The Applicant is close but still in the process of working through the plat and title issues that are needed to move forward. City Staff is requesting that the Commission table the Public Hearing on this item to the July 1, 2025, Commission meeting.

The Applicant requested an extension to the required one-year Final Plat application deadline as established by previous City Council action, approving the Comprehensive Plan for the Subject Property on April 8, 2024, per Resolution No. 2024-066. The City Council approved that extension request on March 10, 2025, per Resolution No. 2025-055, granting the Applicant an additional year to complete the process. The current application under review was submitted on February 3, 2025. State Statute grants cities 120 days to review and act on Preliminary Plat requests. Because action on the Preliminary Plat is delayed, action on the Final Plat will be delayed past the original application deadline.

EVALUATION OF REQUEST

Not Applicable at This Time.

ALTERNATIVES

The Planning Commission is asked to table the Public Hearing regarding consideration to Vacate the Drainage & Utility Easements, Rezoning of the Subject Property, the Preliminary and Final Plats until the July 1, 2025, Planning Commission meeting.

RECOMMENDATION

City staff recommend tabling the Public Hearing, as noted, until the July 1, 2025, Planning Commission meeting.

ATTACHMENTS

None



Planning Commission Report

MEETING DATE:	June 3, 2025
CASE NO:	25-13Z-V-WP
APPLICANT:	Cory Clarin
PROPERTY OWNER:	Same as Applicant
REQUEST:	Waiver of Plat, Rezoning, and Variance
LOCATION:	1120 Alaureate Court
COMPREHENSIVE PLAN:	RDR, Rural Density Residential
ZONING:	A, Agricultural
STAFF CONTACT:	Benjamin Schneider, 651.450.2554

ACTION REQUESTED

The Planning Commission is asked to consider a Waiver of Plat request to subdivide one (1) parcel into two (2) parcels. The Commission is also asked to conduct a Public Hearing and consider requests for a Rezoning from A, Agricultural to E-1, Estate and a Variance from the minimum lot size in the E-1 Zoning District.

BACKGROUND

The applicant has submitted a series of requests related to a proposed one-lot subdivision on their property at 1120 Alaureate Court. Their stated goal is to create an additional buildable lot for a new single-family home.

The requests are as follows:

- **Waiver of Plat.** The subject property is unplatted, meaning this request is ineligible for an Administrative Subdivision process. Therefore, the applicant is requesting a Waiver of Plat to forgo the full Preliminary and Final Plat process, which would include additional time and cost. Notably, the Waiver of Plat procedure is not a common request because the required criteria in [City Code Section 11-1-6](#) can only be satisfied in limited circumstances.
- **Rezoning.** The subject property is zoned A, Agricultural. The applicant is requesting a Rezoning to E-1, Estate for the newly created parcels. This Rezoning is primarily needed to satisfy minimum lot size standards. The minimum lot size in the Agricultural District is five (5) acres and in the Estate District the minimum is 2.5 acres.
- **Variance.** The subject property is 4.97 acres, meaning one of the newly proposed lots is slightly under the required 2.5 acres. The applicant is therefore requesting a Variance to have one lot that is 2.47 acres in the E-1, Estate District.

SURROUNDING USES

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

LOCATION	ADJACENT USE	ZONING	LAND USE
North, West, and East	Residential	A, Agricultural	RDR, Rural Density Residential
South	Residential	E-1, Estate	RDR, Rural Density Residential

EVALUATION OF REQUEST

Each specific request for the proposed subdivision is evaluated below:

Waiver of Plat

Requests for a Waiver of Plat are required to satisfy the following criteria in [City Code Section 11-1-6](#):

1. The waiver of platting procedure may be utilized when the proposed property subdivision will result in the creation of no more than two (2) parcels from one parcel currently under single ownership.

The applicant is proposing a subdivision that would result in two (2) parcels.

2. The requested property division does not cause the need for the dedication of public right-of-way or other easements.

The subject property is on a private road and is not served by city water or sewer lines, meaning no right-of-way or easements are needed.

3. The subject property does not lie adjacent to a public roadway shown on a city, county and/or state thoroughfare plan for which right-of-way dedication will be requested.

This criterion is met.

4. The subject property does not lie adjacent to an existing public right-of-way for which an additional right-of-way dedication will be requested.

This criterion is met.

The request overall satisfies the above criteria.

Rezoning

The Rezoning request is consistent with the Rural Density Residential guiding of the subject property. One of the proposed parcels would be 2.47 acres, less than the 2.5-acre minimum requirement in the E-1, Estate District. This discrepancy would be addressed with the related Variance request.

Otherwise, the two proposed lots conform to all applicable performance standards in the E-1, Estate District. Also, the subject property is adjacent to a neighborhood that is zoned E-1, Estate, so there are no concerns of "spot zoning."

Variance

Variances are required to satisfy the following criteria in [City Code Section 10-3-4](#):

1. The Variance request is in harmony with the general purpose and intent of the City Code and consistent with the Comprehensive Plan.

The requested Variance is relatively minor, as the proposed smaller lot would only be 0.03 acres, or about 1,300 square feet, less than the minimum size requirement. This small discrepancy suggests that the overall intent of the City Code is being met.

The Rural Density Residential land use designation in the Comprehensive Plan is guided for a maximum density of 0.4 units per acre. The proposed lot split would result in a density of 0.4024 units per acre, which would be 0.4 units per acre if rounded to the nearest hundredth decimal place. This proposed subdivision is overall consistent with the Comprehensive Plan.

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

The applicant is requesting the minimum amount of Variance to subdivide their property. A counter example would be if the applicant was requesting a much smaller lot size to subdivide their property into more than two parcels. This is not the case, so the request is reasonable.

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

As the applicant explains in their narrative, the subject property was advertised as being at least five (5) acres when they initially purchased the land in 2001. They also provided a survey dated March 4, 1970, indicating the property was 5.05 acres. According to the applicant, the discrepancy between the lot size from 1970/2001 compared to today stems from surveying work that was done in 2003. At that time, the land adjacent to the south was being platted, and the surveyors made minor "corrections" to the boundary between the applicant's property and the area being subdivided for development. This change inadvertently reduced the lot size of the applicant's property from 5.05 acres to 4.97 acres without their knowledge. This situation can be considered an unusual hardship that was not caused by the property owner.

4. The Variance will not alter the essential character of the locality.

Including the subject property, there are eight (8) lots that are along Laureate Court. Of these properties, five (5) appear to be large enough to be subdivided into two (2) parcels without a lot-size Variance. The proposed subdivision is also consistent with the density of the adjacent neighborhood to the south. Overall, the request would not alter the essential character of the area.

5. The request does not rely on economic conditions alone.

There are no code-compliant alternatives other than a Variance to subdivide this property. The applicant is not relying on economic conditions for this request.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval. If the Planning Commission finds the application acceptable, the Commission should make the following recommendations:

- Approval of a Waiver of Plat request.
- Approval of the request to Rezone from A, Agricultural to E-1, Estate.
- Approval of the Variance request to have one (1) lot that is 2.47 acres in the E-1, Estate District.

B. Denial. If the Planning Commission does not favor the proposed request(s), a recommendation of denial should be made. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

City staff support the requests given that each request satisfies all the criteria noted in this report.

ATTACHMENTS

1. Existing/Proposed Zoning Map
2. Existing Land Use Map
3. Narrative
4. Certificate of Survey



Cory Clarin Lot Split

Proposed Zoning Change



- Existing Zoning -

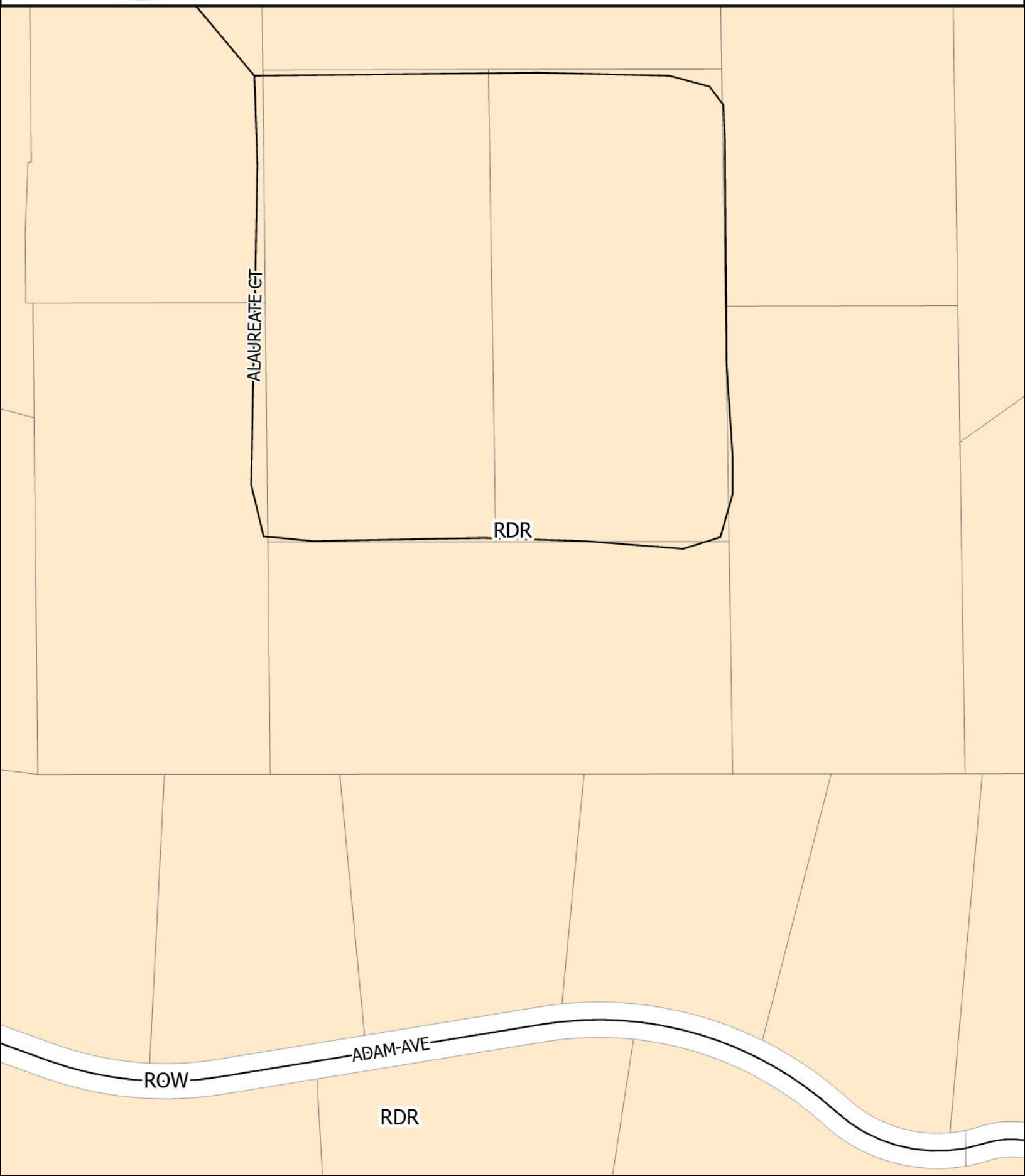
- Proposed Zoning -





Cory Clarin Lot Split

Existing Land Use



Waiver of Plat Narrative

Consistent with our submitted rezoning narrative, we would like to split our current single lot, zoned Ag, into two separate E-1 parcels, using the Waiver of Plat procedure. On the newly created empty lot, we would like to build a single family home that fits the next phase of our life.

We have also included with our application a soil boring and percolation report that indicates the location and size of a potential primary and secondary septic site for which the soil was shown to be very favorable for an ISTS and shows no restricting layers as deep as 6 feet.

Splitting our single lot into two separate E-1 lots is consistent with the Comprehensive Plan, as future land use designates our area as Rural Density Residential (RDR) and E-1 is classified as RDR zoning. It is a reasonable use of our property, since for nearly 20 years, our southern lot line has been adjacent to three E-1 zoned lots that all have single family homes. Splitting our lot into two E-1 lots will be consistent with current land use around us and fits the area well.

Variance Request Narrative

We request a variance from the minimum lot size for E-1 zoning. With a 5 acre lot, we figured we could create two 2.5 acre lots to meet the minimum requirements. Then, during this process, we found out our lot is actually only 4.97 acres, even though we did nothing that would have caused our lot size to shrink. Now our only option for this project and reasonable use of our property is to get a variance for the one lot that must be 2.47 acres in size. Below I will describe our practical difficulty and how this came to be.

When we bought the property in 2001 from Stanley Westerheim, the land was believed by all to be 5.05 acres in size. A 1970 survey that was prepared for Mr. Westerheim, and passed on to us, indicated the property was 5.05 acres in size. The 1970 survey was the most recent survey that existed for our area back in 2001. To our knowledge, there were no neighbor disputes regarding lot size or boundary lines and we believe they generally agreed that the 1970 survey on hand was believed to be accurate. The Edina Realty marketing material we received in 2001 when the house was listed on the MLS stated the lot was 5 acres. We have included the 1970 survey and the Edina Realty listing with our application and highlighted the pertinent areas, as proof that we truly believed we were buying a lot that was at least 5 acres in size.

In the process of getting a new survey for our Rezoning and Waiver of Plat request, our surveyor, Denny Honsa, indicated that we actually only had 4.97 acres. He said the southern lot line was shortened in 2003 and that we should call the Dakota County Surveyors (DCS) office to try and understand the discrepancy. I called DCS and I talked to a gentleman named Matt. Matt researched the issue and discovered that in the spring of 2003, a new survey was conducted for the Forest Ridge development that was platted directly adjacent to our south (Adam Avenue). During that survey, and while using state of the art technology for surveys, the south line of the southeast quarter of the southeast quarter was “corrected” and shortened by 11.38 feet.

Our lot was the only lot affected by the correction in length because of the way the legal descriptions were written for the three lots bordering the boundary line that was shortened. The width of our lot is essentially described as the entire length of the “southeast quarter of the southeast quarter, except the east 330 feet and except the west 330 feet”. So basically that means we get what is left in the middle after subtracting 330 feet on the east and subtracting 330 feet on the west. Therefore, losing 11.38 feet from the west

end of our property meant that we now only had 4.97 acres, rather than 5.

Matt, at DCS, said that they see this all the time now and that it is common to see corrections with new surveys using GPS technology. As a result, landowners are now discovering that they have slightly more land or slightly less land than they had originally thought. Matt explained, in the old days of surveying, they used a 100 foot length of chain to measure out boundary lines and it was difficult to get extremely accurate measurements with this chain, especially on hilly rugged terrain, such as our area of IGH. New surveys using GPS technology often find that lines are slightly shorter or longer than previous surveys and those lines get corrected. We were unlucky and got slightly less.

This variance request, while technically necessary, is very minor in nature and the resulting 2.47 acre lot is still consistent with the Comprehensive Plan and very much in harmony with the general purposes and intent of the Rural Density Residential zoning classification. There are, in fact, many, many substandard E-1 lots in this area of Inver Grove. There is an E-1 lot roughly 400 feet away from our parcel that is also 2.47 acres (10048 Adam Avenue). A lot that is 2.47 acres in size is very reasonable for this area and will not alter the essential character of the area. We are currently adjacent to E-1, 2.5 acre lots and the area will remain very rural in nature. There are several building locations on this lot that will create privacy for a new home, while also preserving the privacy of the surrounding existing homes.

Rezoning Narrative

My wife and I have lived at 1120 Alaureate Court for nearly 24 years. We raised our two daughters at this home and now we are empty nesters. While we have loved this home for all these years, it is time for something new. We love our neighborhood and

would like to continue living here, so we would like to rezone our current lot, zoned Ag, into two separate E-1 zoned parcels. On the newly created empty lot, we would like to build a single family home that fits the next phase of our life.

Rezoning our lot into two separate E-1 zoned lots is consistent with the Comprehensive Plan, as future land use designates our location as Rural Density Residential (RDR) and E-1 is classified as RDR zoning. It is a reasonable use of our property, since for nearly 20 years, our southern lot line has been adjacent to three E-1 zoned lots that all have single family homes. Rezoning our lot E-1 will not result in “spot zoning” and will be consistent with current land use around us.

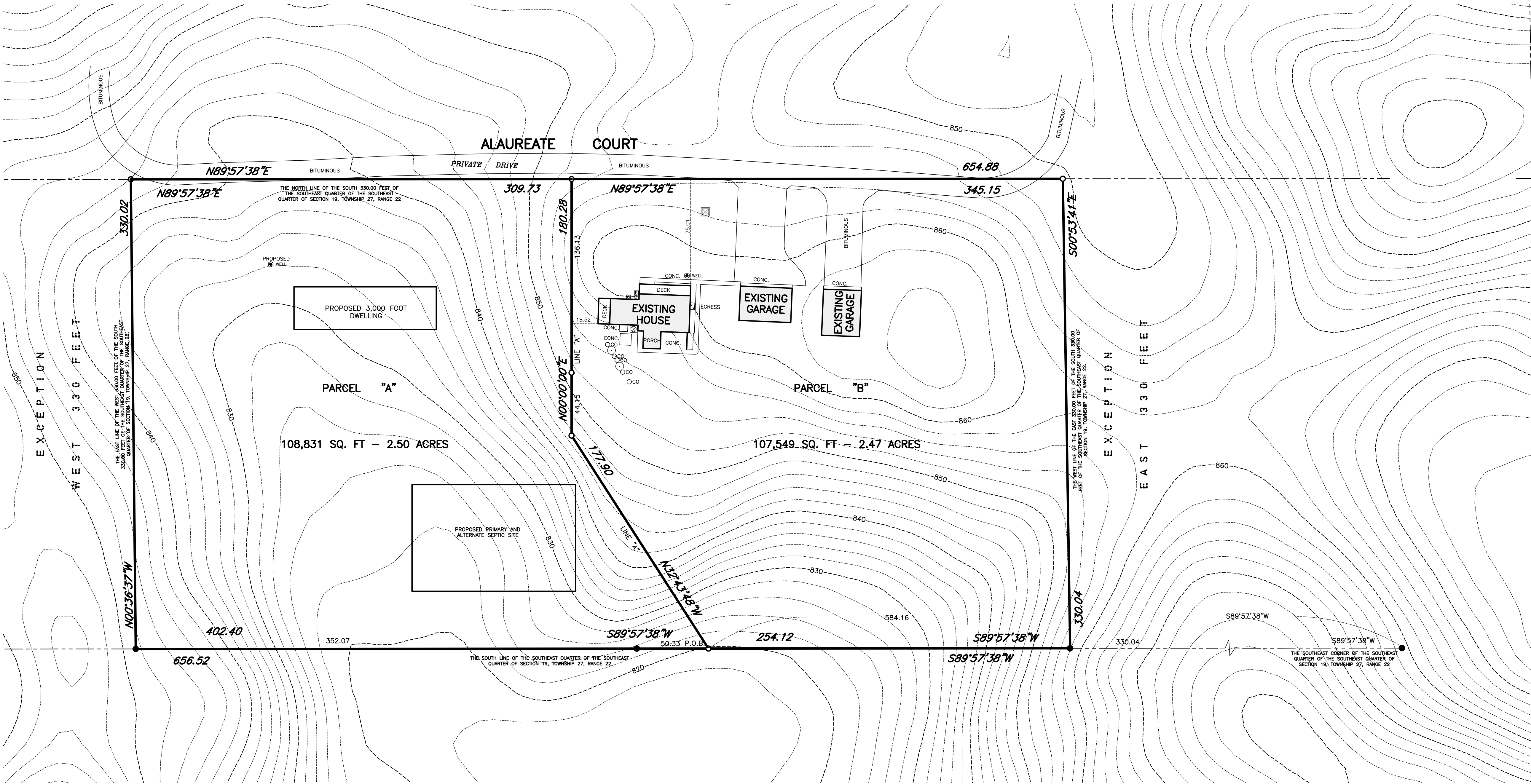
LEGEND

- ⊕ FIRE HYDRANT
⊗ WATER VALVE
○ MANHOLE
☒ CATCH BASIN
⊗ POWERPOLE
⊗ LIGHT POLE
--- GUY
☒ TRANSFORMER
⊗ ELECTRIC METER
⊗ TV PEDESTAL
⊗ TELEPHONE PEDESTAL
⊗ AIR CONDITIONER
⊗ HAND HOLE
⊗ SEMAPHORE
⊗ GAS METER
S SANITARY SEWER
ST STORM SEWER
W WATERMAIN
G UNDERGROUND GAS MAIN
T UNDERGROUND TELEPHONE
E UNDERGROUND ELECTRIC
TV UNDERGROUND CABLE T.V.
OU OVERHEAD UTILITY LINES
● IRON MONUMENT FOUND
○ IRON PIPE MONUMENT SET
+ EXISTING SPOT ELEVATION
⊕ SOIL BORING
+ SIGN
☼ DECIDUOUS TREE
☼ CONIFEROUS TREE
☼ DENOTES TREE AND BRUSH LIMITS
△ DENOTES FLARED END SECTION
FD DENOTES FRENCH DRAIN
CS CURB STOP
CO CLEAN OUT
B BUSH
BG BARBECUE GRILL
● AUTO SPRINKLER
⊕ BASKETBALL HOOP
B BENCH
⊕ WATER SPOUT
T TRENCH DRAIN
CP TRAFFIC CONTROL PANEL
S STORM DISIPATER
⊕ SATELLITE DISH
T TELEPHONE
⊗ ELECTRIC PEDESTAL
FP FLAG POLE
⊕ GROUND LITE
M MAILBOX
R ROOF DRAIN
T TRANSMISSION TOWER
V VENT PIPE
W WELL
- E DENOTES ELEC. LINE
X DENOTES FENCE LINE
FO DENOTES FIBER OPTIC
G DENOTES GAS LINE
S DENOTES SANITARY SEWER
ST DENOTES STORM SEWER
T DENOTES TELEPHONE LINE
TV DENOTES TV LINE
OU DENOTES OVERHEAD UTL.
W DENOTES WATERMAIN
W DENOTES WETLAND
T DENOTES TREELINE
+ DENOTES RAIL ROAD

CERTIFICATE OF SURVEY FOR: CORY CLARIN

1120 ALAUREATE TRAIL COURT, CITY OF INVER GROVE HEIGHT, DAKOTA COUNTY, MINNESOTA

(LOT SPLIT)



LEGAL DESCRIPTION:

THE SOUTH 330.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22, DAKOTA COUNTY, MINNESOTA ACCORDING TO THE GOVERNMENT SURVEY THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY SURVEYOR, DAKOTA COUNTY, MINNESOTA. EXCEPTING THEREOF THE EAST 330.00 FEET AND THE WEST 330.00 FEET

AREA:

THE PROPERTY CONTAINS 216,380 SQUARE FEET OR 4.97 ACRES.

PARCEL "A":

PROPOSED LEGAL DESCRIPTION:

THAT PART OF THE SOUTH 330.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22, DAKOTA COUNTY, MINNESOTA ACCORDING TO THE GOVERNMENT SURVEY THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY SURVEYOR, DAKOTA COUNTY, MINNESOTA LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22; THENCE SOUTH 89 DEGREES 57 MINUTES 38 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22 A DISTANCE OF 584.16 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE NORTH 32 DEGREES 43 MINUTES 48 SECONDS WEST A DISTANCE OF 177.90 FEET; THENCE NORTH A DISTANCE OF 180.28 FEET TO THE NORTH LINE OF THE SOUTH 330.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22 AND THERE TERMINATING.

EXCEPTING THEREOF THE WESTERLY 330.00 FEET THEREOF.

PARCEL "B":

PROPOSED LEGAL DESCRIPTION:

THAT PART OF THE SOUTH 330.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22, DAKOTA COUNTY, MINNESOTA ACCORDING TO THE GOVERNMENT SURVEY THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY SURVEYOR, DAKOTA COUNTY, MINNESOTA LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22; THENCE SOUTH 89 DEGREES 57 MINUTES 38 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22 A DISTANCE OF 584.16 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE NORTH 32 DEGREES 43 MINUTES 48 SECONDS WEST A DISTANCE OF 177.90 FEET; THENCE NORTH A DISTANCE OF 180.28 FEET TO THE NORTH LINE OF THE SOUTH 330.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 27, RANGE 22 AND THERE TERMINATING.

EXCEPTING THEREOF THE EASTERLY 330.00 FEET THEREOF.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY 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.

SIGNED THE 4TH OF APRIL, 2025.

Dennis M. Honsa

DENNIS M. HONSA
MINNESOTA LICENSE No. 22440
FOR: HONSA SURVEYING

REVISED: 2025-04-09 TOPOGRAPHY, LEGAL DESC.



JOB NO: CLARIN 2025 001

HONSA SURVEYING

1592 PACIFIC AVENUE, EAGAN, MN (651) 492-6725

ALTERATIONS TO THIS DRAWING ARE PROHIBITED WITHOUT THE EXPRESS WRITTEN PERMISSION OF HONSA SURVEYING COPY RIGHT 2025, HONSA SURVEYING

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM ASBUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANTY THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED UNDERGROUND UTILITIES.



Planning Commission Report

MEETING DATE:	June 3, 2025
CASE NO:	25-15X
APPLICANT:	City of Inver Grove Heights
PROPERTY OWNER:	N/A
REQUEST:	Zoning Code Amendment relating to Hoop Structures
LOCATION:	N/A
COMPREHENSIVE PLAN:	N/A
ZONING:	N/A
STAFF CONTACT:	Kevin Shay, 651.450.2569

ACTION REQUESTED

The Planning Commission is asked to consider and recommendation action regarding a Zoning Text Amendment to Title 10 of the City Code (Zoning Regulations), Chapter 15, Section 10-15-17: Exterior Building Materials, relating to hoop structures.

BACKGROUND

In August 2024, the City Council considered a Variance request to allow an existing hoop structure to remain on a property zoned I-1, Light Industrial. The Council voted to deny the requested Variance, as recommended by the Planning Commission and City staff, noting the structure did not conform to established material standards and there was a lack of practical difficulties to justify said request. A second Variance from setback standards was also denied. With that Council action, the applicant was given until June 2025 to bring the property into compliance.

In denying the Variance requests, the Council directed City staff to further research whether it was practical or advisable for the City to consider allowing hoop structures under certain conditions or for certain uses and in certain zoning districts, notably industrial districts.

EVALUATION OF REQUEST

Current City Code

Section 10-15-17 (Exterior Building Materials) of the City Code currently prohibits hoop structures – whether temporary or permanent – in all zoning districts, except when they are located on lots greater than 2.5 acres and located in the Agricultural (A) or either of the two Estate Districts (E-1 or E-2). In these cases, they can be up to 500 square feet in size and must be set back 50 feet from all property lines.

The intent of establishing standards for exterior materials, notably in commercial and industrial districts, is to require buildings to be constructed with high-quality material for aesthetic and tax valuation purposes. As presented in August 2024, City Code for commercial industrial districts currently requires at least 50% of the exterior vertical surface to be consistent and have a combination of the following materials: brick, sculpture block, panels, wood siding, steel, aluminum,

or vinyl lap siding or natural stone. In effect, this prohibits hoop structures, sometimes also referred to as "membrane structures."

In jurisdictions where hoop structures are allowed, State Building Code further establishes requirements for both temporary and permanent versions. Temporary hoop structures - defined as those allowed for up to 180 days or less - are not required to be structurally engineered, but a building permit may be required depending on the size and use. A permanent hoop structure is required to be structurally engineered and meet all related building code requirements.

Proposed City Code

City staff from Planning, Building Inspections, Code Enforcement and Fire met to discuss whether the allowable use of hoop structures might be expanded and under what conditions. It can be argued that there might be a time and a place for such structures for several types of businesses, as they serve as a cost-effective way to provide weather protection and security of certain materials. After review and research of other communities, staff are proposing no changes to the current prohibition on hoop structures in all Residential (R) zoning districts. The exception for such structures in the A, E-1 and E-2 districts has been amended to match the lot size restrictions for the zoning district.

In Commercial zoning districts (B), the City's Land Use Matrices currently allow Commercial Greenhouses as a Conditional Use in the A, Agriculture district and as a Permitted use in the B-3, General Business zoning districts. Outdoor Sales and Supply Areas are allowed as an Accessory Use with Garden Supply Stores in the B-3, General Business and B-4, Shopping Center zoning districts. It is assumed both of these uses commonly include hoop-type structures as primary and accessory buildings. It is not uncommon to see hoop structures with seasonal, temporary greenhouses outside larger retail stores. There are no amendments to the code related to this.

As for Industrial and Institutional Districts, staff have included amendments to allow permanent, but not temporary, hoop structures, subject to certain conditions. The proposed language limits their use to the protection of certain materials, such as salt and sand, landscaping materials, mulch and special soils, etc. Permanent hoop structures would be required to obtain the necessary permits and provide engineered plans and information for review and approval by Building Inspections staff. The Institutional district is being included to address the public works site.

Council members reviewed the item at their March 3, 2025 Work Session and the proposed amendments to the code are consistent with the direction provided at the Work Session.

For reference, staff have researched how other cities handle hoop structures and attached the information to this report.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed ordinance amendment:

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

- Recommend the Ordinance for the Zoning Text Amendment to Title 10 of the City Code (Zoning Regulations) Chapter 15, Section 17, relating to hoop structures.

B. Denial. If the Planning Commission finds issues with the ordinance, a recommendation of denial should be made or specify recommended changes to the ordinance.

RECOMMENDATION

Staff recommends approval of the ordinance amendments as presented.

ATTACHMENTS

1. Draft Ordinance Hoop Structures
2. City Comparison

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, CHAPTER 15, SECTION 17, EXTERIOR BUILDING MATERIALS**

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

Section One. Amendment. Title 10, Chapter 15, Section 17, **EXTERIOR BUILDING MATERIALS**, of the Inver Grove Heights City Code is hereby amended as follows. The struck-out text shows the deleted wording and the underlined text shows the language added to the code:

A. Commercial, Industrial And Institutional Buildings: All exterior vertical surfaces of any principal or accessory structure in a B, I or P zoning district shall have an equally attractive or the same fascia as the front. At least fifty percent (50%) of the exterior vertical surface shall consist of one or a combination of the following or similar materials: brick veneer; sculptured, textured or concrete block or panels; natural wood siding; steel, aluminum or vinyl lap siding; natural stone or glass. A maximum of one-third (1/3) of a building wall is permitted to have sheet or corrugated steel or aluminum finish.

1. Industrial and Institutional Buildings: The framing for hoop houses or other hoop designed apparatus shall be allowed for storage of materials typically stored outdoors such as salt, sand, landscape materials, mulch, special soils and other similar materials as determined by the Zoning Administrator. The building shall be constructed as a permanent structure.

B. Residential Principal Structures:

1. All exterior surfaces of a residential principal structure must be completed within one year of the issuance of a building permit. A six (6) month extension may be granted if a written request is submitted to the city planner ten (10) working days prior to the termination of the one year time limit.

2. Exterior walls of all principal structures in all residential zoning districts (R, A, and E districts) must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the city planner.

3. Cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal shall be prohibited as final covers for exterior walls and roofs for all principal structures in all residential zoning districts (R, A and E districts).

C. Residential Accessory Structures:

1. Completion Period: All exterior surfaces of a residential accessory structure must be completed within one year of beginning construction. A six (6) month extension may be granted if a written request is submitted to the city planner ten (10) working days prior to the termination of the one year time limit.

2. Allowed Materials: Exterior walls of all accessory structures in all residential zoning districts (R, A and E districts) must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the city planner. Sheet metal, corrugated metal or shaped metal material may also be used to cover exterior walls of accessory structures provided:

a. The structure is less than one hundred twenty (120) square feet and is located in a residential zoning district (R, A and E districts).

b. In the A and E-1 zoning districts only, the exterior walls of the structures over one hundred twenty (120) square feet may be covered with sheet metal, corrugated metal or shaped

metal provided the material has a thickness of at least 29-gauge, and comes with a manufacturer's warranty of at least twenty (20) years.

3. Prohibited Materials: Cloth, fabric, canvas, plastic sheets, tarps, tarpaper and insulation shall be prohibited as final covers for exterior walls and roofs for all accessory structures in all residential zoning districts (R, A and E districts). In all residential zoning districts (R, A and E districts), the placement or use of framing for hoop houses or other hoop designed apparatus, tent garages and other similar apparatus is prohibited, whether it is an accessory structure or an apparatus as described in subsection C5 of this section.

4. Apparatus: All limitations, restrictions, regulations, prohibitions and standards set forth in this subsection C relating to accessory structures shall also apply to the following:

Nonpermanent or movable apparatus or units, not permanently affixed to the ground, consisting of a frame that is to be used for or intended to be used for storage or other use. These include apparatus commonly known as hoop houses or other hoop designed apparatus, tent garages and other similar apparatus.

The framing for hoop houses or other hoop designed apparatus, tent garages and other similar apparatus is prohibited, whether it is an accessory structure or an apparatus as described in this subsection C5.

5. Exceptions: The following are excluded from the requirements of this subsection C:

- a. Playground equipment.
- b. Camping tents and special event tents which are in place for less than five (5) days.
- c. Commercial greenhouses.
- d. Accessory structures to principal agricultural uses (i.e., farms, ranches, stables, greenhouses, nurseries, and uses deemed similar by the city council) in the A and E-1 zoning districts.
- e. Accessory structures used as carports and nonpermanent or movable apparatus or units used as carports.
- f. Hoop houses and other hoop designed apparatus, whether as accessory structures and nonpermanent or movable apparatus may be placed and used and may be covered with plastic sheets if they meet the following:

(1) Located on lots ~~greater than or equal to 2.5 acres~~ meeting the minimum lot size in the A and E zoning districts;

(2) Maximum size of five hundred (500) square feet; and

(3) Minimum setback of fifty feet (50') from all property lines. (Ord. 1196, 10-12-2009; amd. Ord. 1387, 8-10-2020)

Section Two. 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 _____, 2025.

CITY OF INVER GROVE HEIGHTS

By: _____
Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

	Membrane Structure / Hoop Structure
Inver Grove Heights	Does not allow them per exterior material requirements for principal and accessory structures. Exemptions to allow them as accessory structures in A, E-1 and E-2 zoning districts subject to additional standards.
West Saint Paul	Does not allow them as principal structures. Does not allow them as accessory structures except as part of a commercial greenhouse.
Cottage Grove	Very little language related to hoop structures. Does not allow them except as a temporary accessory structure connected to an approved conditional use permit.
Eagan	Does not allow them anywhere in the City. The exterior material requirements for both principal and accessory structures make them not possible. Membrane structures only allowed temporarily as part of outdoor food events.
Woodbury	Does not allow them anywhere in the City. The exterior material requirements for both principal and accessory structures make them not possible.
Apple Valley	Allows them only as temporary accessory structures associated with food trucks or other outdoor events.



Planning Commission Report

MEETING DATE:	June 3, 2025
CASE NO:	25-16X
APPLICANT:	City of Inver Grove Heights
PROPERTY OWNER:	N/A
REQUEST:	Zoning Code Amendment relating to Above-Ground Storage Tanks
LOCATION:	N/A
COMPREHENSIVE PLAN:	N/A
ZONING:	N/A
STAFF CONTACT:	Kevin Shay, 651.450.2569

ACTION REQUESTED

Zoning Text Amendment to Title 9 of the City Code (Building and Development), Chapter 2, Section 9-2-4: Limits for Storage of Certain Hazardous Materials, and to Title 10 of the City Code (Zoning Regulations), Chapter 6, Section 10-6-2: Land Uses in All Nonresidential Districts, related to above-ground and fuel storage tanks.

BACKGROUND

In July 2024, the City Council considered and approved a Variance request related to above-ground storage tanks. At that time, the Council requested additional information in order to understand the current regulations and consider possible ordinance updates to the sections related to above-ground storage tanks.

EVALUATION OF REQUEST

Above-ground storage tanks are currently regulated through two sections of the City Code. Section 9-2-4 limits the storage of hazardous materials; this is in the Fire Prevention code. This section limits above-ground storage tanks to the I-2, General Industry zoning district with no limitations, and to the Agricultural (A), Business (B), Institutional (P) and I-1, Limited Industry zoning districts, as long as it is one tank not exceeding 500 gallons of capacity or two tanks not exceeding 1,000 gallons of aggregate capacity. Such tanks are also allowed in the Sand and Gravel Overlay District via a Conditional Use Permit (CUP) when associated with an asphalt plant when there is adequate water supply for fire protection.

The other City Code section that regulates above-ground storage tanks is Section 10-6-2, which is in the Zoning Ordinance. This section provides a table with the permitted, conditional and accessory uses for all nonresidential zoning districts. The table has fuel storage and dispensing as permitted principal uses in the B-1, I-1 and I-2 districts. The tanks must be for exclusive use by the owner and no retail sales may occur except for propane. Fuel storage tanks for crude oil, gasoline, natural gas, propane and other fuels are allowed as a Conditional Use in the I-2 zoning district. Both City Code sections allow an above-ground storage tank as a principal use of a property. However, the two Code

sections do not align in regard to the zoning districts the tanks are allowed in.

To remedy this conflict, City staff have removed the language from the Fire Prevention section and incorporated it into all allowed zoning districts, as cited in the attached Ordinance. This would add A, B-2, B-3, P and the Sand & Gravel Overlay as districts where the use is allowed. A reference to the State Fire Code has been included to ensure compliance with the standards. The Ordinance includes revisions to change the above-ground storage tanks from a Permitted or Conditional Principal Use to a Permitted Accessory Use, and require a permit from the Fire Marshal prior to commencing the use. Above-ground fuel storage tanks are typically associated with a principal use and are an accessory use to augment the principal operation for the property. The permit would allow staff to review the use for compliance through an administrative process.

Council members reviewed the item at their March, 3, 2025 Work Session and the proposed amendments to the code are consistent with the direction provided at the Work Session.

For reference, staff have researched how other cities handle above-ground storage tanks and attached the information to this report.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed Ordinance Amendment:

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

- Recommend Ordinance Amendment to Title 9, Chapter 2, Section 4 and Title 10 of the City Code (Zoning Regulations) Chapter 6, Section 2, relating to above-ground storage tanks.

B. Denial. If the Planning Commission finds issues with the Ordinance, a recommendation of denial should be made or specify recommended changes to the Ordinance.

RECOMMENDATION

Staff recommends approval of the ordinance amendments as presented.

ATTACHMENTS

1. Draft Ordinance Above-Ground Storage Tanks
2. City Comparison

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 9, CHAPTER 2, SECTION 4, LIMITS FOR STORAGE OF CERTAIN HAZARDOUS
MATERIALS AND TITLE 10, CHAPTER 6, SECTION 2, LAND USES IN ALL
NONRESIDENTIAL DISTRICTS**

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

Section One. Amendment. Title 9, Chapter 2, Section 4, **LIMITS FOR STORAGE OF CERTAIN HAZARDOUS MATERIALS**, of the Inver Grove Heights City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

A. Storage of flammable or combustible liquids in outside aboveground tanks shall apply for a fire permit prior to installation. ~~is prohibited in all zoning districts except that the storage of flammable or combustible liquids in aboveground storage tanks is permitted as follows:~~

~~— 1. In the I-2 zoning districts;~~

~~— 2. In the A, B, P and I-1 zoning districts, one approved tank not exceeding a five hundred (500) gallons' individual capacity or two (2) tanks in an approved dual tank system not exceeding one thousand (1,000) gallons' aggregate capacity; and~~

~~— 3. In the Sand and Gravel Overlay zoning district pursuant to an approved conditional use permit for an asphalt plant when there is an adequate water supply for fire protection and tanks and loading racks are protected in an approve manner.~~

B. Bulk storage of liquefied petroleum gases and flammable cryogenic fluids is prohibited in all zoning districts except the I-2 Zoning District.

C. Storage of explosives and blasting agents is prohibited in all zoning districts.

Section Two. Amendment. Title 10, Chapter 6, Section 2, **LAND USES IN ALL NONRESIDENTIAL DISTRICTS** of the Inver Grove Heights City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

Use	Zoning District											
	B-1	B-2	B-3	B-4	OP	I-1	IOP	I-2	P	MU-PUD	COM M-PUD	OFFICE -PUD
Fuel storage and dispensing with conditions: A. Exclusive use by owner;	<u>PA</u>	<u>A</u>	<u>A</u>			<u>PA</u>		<u>PA</u>	<u>A</u>			

B. No retail sales except for propane												
Fuel storage tank such as crude oil, gasoline, natural gas, propane and other fuels								€				

Section Three. 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 _____, 2025.

CITY OF INVER GROVE HEIGHTS

By: _____
Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

	Above Ground Storage Tanks
Inver Grove Heights	Fire prevention code allows them in I-2 with no restrictions and in A, B, P and I-1 districts with a single or dual tank of 500 or 1,000 gallons, respectively. Zoning ordinance has fuel storage and dispensing as permitted uses in the B-1, I-1 and I-2 districts. A conditional use for fuel storage tanks in the I-2 .
West Saint Paul	Fire Prevention code provides the limits. Storage of flammable liquids in outside aboveground tanks of 2,000 gallons water capacity or more is prohibited within the city, except if approved by the Fire Chief. Zoning ordinance does not have standards or list above ground storage tanks as a use in any district.
Cottage Grove	Fire prevention code references Minnesota State Fire Code. Zoning ordinance allows storage of crude oil, refined oil, alcohol and other liquids in outdoor aboveground storage tanks, incidental to the principal use and not for sale, as an accessory use.
Eagan	No standards related to the above ground storage of fuel. All coverage is through references to state fire and building codes.
Woodbury	No performance standards related to above ground storage tanks. Limit outdoor gas sales on motor fuel lots.
Apple Valley	Above ground storage tanks are a conditional use in the general industrial zoning district when the tank is larger than 10,000 gallons. It is regulated by fire code when smaller than 10,000.