

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, June 3, 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. OATH OF OFFICE

Community Development Support Specialist Bodsberg administered the Oath of Office to incumbent Planning Commissioners Jonathan Weber and Dennis Wippermann and new Planning Commissioner Collin Gosell.

3. ROLL CALL

Commissioners Present: Jonathan Weber (*Chair*)
Lance Twedt (*Secretary*)
Jason Teiken
Collin Gosell
Aida Schaefer
Amy Hunting
Dennis Wippermann

Commissioners Absent: Scott Clancy (*Vice-Chair*) - *excused*
Robert Heidenreich - *excused*

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

4. ELECTION OF OFFICERS

Chair Weber stated that new commissioners are seated annually and that the election of Chair, Vice-Chair, and Secretary would be conducted.

Motion by Wippermann, Second by Twedt, to Close Nominations and Elect Jonathan Weber by Unanimous Consent to the position of Chair.

Ayes: 6 (Weber Abstained)

Nays: 0 Motion Carried.

Motion by Teiken, Second by Twedt, to Close Nominations and Elect Scott Clancy to the position of Vice-Chair.

Ayes: 5

Nays: 2 (Hunting, Schaefer) Motion Carried.

Motion by Teiken, Second by Wippermann, to Close Nominations and Elect Lance Twedt by Unanimous Consent to the position of Secretary.

Ayes: 6 (Twedt Abstained)

Nays: 0 Motion Carried.

5. CONSENT AGENDA

A. Minutes of the May 6, 2025, Planning Commission Meeting.

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

Ayes: 7

Nays: 0 Motion Carried.

6. PUBLIC HEARING

A. Public Hearing to Consider a Request for Rezoning from A, Agricultural to R-3A, Multiple-Family Residential; Easement Vacation to Vacate an Existing Drainage and 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 Hunting, Second by Schaefer, to Table Item to the July 1, 2025, Planning Commission Meeting.

Ayes: 7

Nays: 0 Motion Carried.

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.

Reading of Public Notice

Secretary Twedt read the Public Hearing Notice.

Motion by Schaefer, Second by Twedt to add one email into the record.

Ayes: 7

Nays: 0 Motion Carried.

Presentation of Request

Senior Planner Schneider presented the staff report.

The property owner requests to create one new parcel for a new single-family home on the 4.97-acre (unplatted) subject property, which is currently guided as Rural Density Residential. The surrounding area parcels are mostly zoned Agricultural.

1) Waiver of Plat

- a. Because the lot is unplatted, it is not eligible for an Administrative Subdivision, which is the reason for the Waiver request.
- b. The applicant appears to meet the relevant City Code criteria for the Waiver:
 - i. Not creating more than 2 parcels from 1.
 - ii. No need for dedication of public right of way or other easements.
 1. The lot is on a private road.
 - iii. Not adjacent to public roadway where right of way dedication would be requested.
 - iv. Not adjacent to public right of way where additional right of way would be requested.

2) Rezoning from A, Agricultural to E-1, Estate.

- a. Land use is consistent with Rural Density Residential guiding.

- b. The development to the south is zoned Estate, the request would not be considered spot zoning.
- c. The performance standards of E-1, Estate districts are satisfied, except for the minimum lot size (addressed in Variance request)
- 3) Variance for 2.47-acre lot in E-1, Estate district.
 - a. Consistent with City Code and Comprehensive Plan.
 - i. The proposed acreage and net density are close to those indicated in the Comprehensive Plan.
 - b. The request is reasonable.
 - i. Applicant is requesting the minimum variance to subdivide their property.
 - c. The plight of the landowner is due to unique circumstances not created by the landowner.
 - i. Previous surveys indicated the property was originally 5.05 acres; however, later corrections to address discrepancies reduced the lot size to 4.97.
 - d. The Variance will not alter the essential character of the locality.
 - i. The density will be similar to that of southern neighbors, and some neighbors to the north could likely subdivide without the need of a Variance request.
 - e. The request does not rely on economic conditions alone.
 - i. There are no code compliant alternatives to subdivide the property.

Commissioner Gosell inquired if setback requirements would be met. Senior Planner Schneider stated that there are no setback concerns.

Opening of Public Hearing

Cory Clarin, 1120 Alaureate Court, Applicant, stated that the staff report was received and understood.

Commissioner Schaefer inquired if the other neighbors surrounding the property were in support.

Mr. Clarin stated that he had talked to two neighbors to the north, and both were in support.

Imogene Bass, 9830 Alaureate Court, stated that she is a neighbor to the north, and is in support of the applicant's requests.

Becky Hopke, 1355 102nd Street, stated that she is also a neighbor and in support of the applicant's requests.

Planning Commission Discussion

Commissioner Hunting stated that she visited the property and the development to the south is not connected by a road to this neighborhood, she would consider this request as spot zoning. She also cited potential traffic and flooding concerns as reasons she is not in favor of the requests.

Commissioner Wippermann expressed concern about rezoning, potentially creating a precedent that would change the character of the neighborhood. As a counterpoint, he acknowledged that no neighbors have raised concerns.

Commissioner Schaefer stated that she visited the property and that 2.5-acre lots did seem out of character for the neighborhood. However, she cited three reasons she supported the requests: 1) The applicant is a long-time Inver Grove Heights resident seeking to grow old in place. 2) The applicants did not know the lot was less than five acres when they purchased it. 3) Neighbors in the immediate area could subdivide their properties without the need of a Variance.

Commissioner Wippermann questioned if public hearing notices were sent to northern neighbors.

Planning Manager Shay stated that notices were sent to all neighbors within 1,000 feet, which includes the majority of property owners in the neighborhood.

Commissioner Schaefer inquired as to whether the new home would rely on well water and a septic tank. Chair Weber confirmed this. Commissioner Schaefer inquired as to whether staff had identified any potential issues with the placement of these. Senior Planner Schneider stated that these items would be reviewed during the building permit process.

Planning Manager Shay clarified the final location of the septic tank and well could change, but the applicant did prove that City requirements could be met (via indicating potential locations for the well and the home, as well as providing results of soil borings and percolation tests for the septic site).

Motion by Schaefer, Second by Teiken, to Approve the Waiver of Plat request; Variance for one lot to be 2.47 acres in the E-1, Estate Zoning District; and Rezoning from A, Agricultural to E-1, Estate, subject to the conditions stated in the staff report.

Ayes: 6

Nays: 1 (Hunting) Motion Carried.

This item is tentatively scheduled to go before the City Council on June 23, 2025.

C. Consider a Request for Zoning Text Amendment to Title 9 of the City Code (Zoning Regulations), Chapter 15, Section 10-15-17: Exterior Building Materials, Relating to Hoop Structures.

Reading of Public Notice

Secretary Twedt read the Public Hearing Notice.

Presentation of Request

Planning Manager Shay presented the staff report.

In August 2024, City Council denied a Variance for an existing hoop structure located on a property zoned Industrial and directed staff to research commercial/industrial exterior building material standards for hoop structures and draft an amendment to the City Code.

The current City Code prohibits permanent and temporary hoop structures in Residential, Institutional, and Industrial zoning districts. They are allowed in Agricultural, E-1, Estate and E-2, Estate with the following conditions:

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- The lot size must be greater than 2.5 acres
- The hoop structure area must be less than 500 square feet
- 50-foot setbacks must be provided

There is an allowed exemption for commercial greenhouses.

The Building Code differentiates between permanent and temporary structures – the requirement for a structural engineering isn't required for the latter.

Proposed City Code

- Residential
 - Keep current prohibition.
 - Modify exemption for Agricultural, E-1, Estate and E-2, Estate districts; replace 2.5 acre minimum with minimum lot size for the district.
- Business
 - Keep current allowance for commercial greenhouses.
- Industrial and Institutional
 - Amend to allow permanent hoop structures.
 - Limit to storage of outdoor supplies (salt, sand, landscape materials, mulch, special soils)

Chair Weber inquired as to why outdoor equipment storage was not included as allowable storage. Planning Manager Shay stated that outdoor equipment would require screening and fencing beyond a hoop structure; the goal of the amendment is to allow supply storage, not equipment storage.

Commissioner Hunting suggested adding specific language excluding the equipment storage.

Community Development Director Ziemer clarified that equipment would need to be stored in a framed structure. That adding the specific language excluding equipment storage was considered during drafting.

Chair Weber inquired if a hoop structure could be used to cover a shipping container. Planning Manager Shay said no; the structural engineering requirement would most likely preclude that.

Chair Weber inquired about the rationale for excluding equipment storage in hoop structures. He stated that contractors might have large equipment (e.g. snow-clearing machinery) that would not fit in most buildings. Planning Manager Shay stated that the goal was to maintain an aesthetic standard in Industrial areas that would support a blend of uses (e.g., data centers, manufacturing, etc.).

Community Development Director Ziemer stated that hoop structures should be thought of as accessory buildings; permanent structures were more appropriate for equipment storage.

Commissioner Teiken inquired about the reason for the initial Variance request. Planning Manager Shay stated that the applicant was not in compliance with City Code, and when the Variance was denied, the deadline for compliance was set for June 2025.

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Commissioner Twedt inquired as to which zoning districts allow permanent versus temporary hoop structures. Planning Manager Shay stated that Agriculture, E-1/E-2, Estate allow permanent or temporary hoop structures. Under the proposed amendment, Industrial and Institutional districts would only allow permanent hoop structures.

Commissioner Twedt inquired as to whether equipment storage would be allowed in a hoop structure that passed the structural engineering requirement. Planning Manager Shay stated that the structural engineering requirement for permanent structures would apply even if equipment storage was added as an accepted use.

Commissioner Teiken inquired about other cities' hoop structure regulations. Planning Manager Shay stated that most other cities do not allow them.

Commissioner Schaefer stated that she wanted specific language added "*excluding equipment storage*".

Community Development Director Ziemer said that the applicant of the originally denied Variance was seeking to store materials, not equipment.

Commissioner Teiken expressed support for clear language in the amendment as to what is allowed and not allowed.

Chair Weber clarified that anything can be stored in hoop structures in Agricultural and E-1/E-2, Estate districts. Planning Manager Shay confirmed this.

Opening of Public Hearing

Ryan Stanton, 7280 Dickman Trail, Original Variance Applicant, stated that hoop structures varied in quality and longevity. He said they provide benefits for business owners as well as environmental protection. He thanked City staff and the Planning Commission for reconsidering the City Code.

Planning Commission Discussion

Chair Weber inquired as to whether there were restrictions on the types of covering material for hoop structures in the proposed amendment. Planning Manager Shay stated that cover material would be subject to Building Code requirements. Community Development Director Ziemer stated that the topic could be examined further.

Commissioner Schaefer inquired about Industrial/Institutional hoop structure size limits. Planning Manager Shay stated that the hoop structure size in those districts would be limited by impervious surface and the maximum building coverage requirements.

Commissioner Gosell stated that he thought plant storage was not allowed in Industrial districts, language about this could be added to clarify. Planning Manager Shay stated that commercial greenhouses would be part of a Business district, not Industrial/Institutional, but that the Use Tables could be consulted for more specific situations.

Motion by Schaefer, Second by Hunting, to Approve the Recommendation of the Ordinance for the Zoning Text Amendment to Title 10 of the City Code (Zoning Regulations) Chapter 15,

Section 17, Relating to Hoop Structures, with the addition of noting that the structures exclude holding equipment, and the addition of noting specific covering materials allowed.

Ayes: 6

Nays: 1 (Weber) Motion Carried.

This item is tentatively scheduled to go before the City Council on June 9, 2025.

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.

Reading of Public Notice

Secretary Twedt read the Public Hearing Notice.

Presentation of Request

Planning Manager Shay presented the staff report.

City Council approved a Variance request regarding Above-ground Storage Tanks in July 2024 and directed staff to research their regulations and consider possible amendments.

Current City Code

- Fire Prevention Code standards allow above-ground storage tanks in:
 - I-2, General Industrial with no limitations.
 - A, Agricultural, B, Business, P, Public Institutional and I-1, Limited Industry districts, limited to 500-gallon tank or 1,000-gallon dual tank.
 - Sand and Gravel Overlay, as a Conditional Use Permit when associated with an asphalt plant.
- Zoning Code breaks above-ground storage tanks into two uses:
 - Fuel storage and dispensing
 - Permitted principal uses in B-1, Limited Business, I-1, Limited Industry and I-2, General Industry
 - Fuel storage for crude oil, gas, natural gas, and propane
 - Conditional Use Permit in I-2, General Industry

Proposed City Code

- Move limitations from Fire Prevention Code to Zoning Code (aligns districts)
 - Allowed zoning districts: A, Agricultural, B-1, Limited Business, B-2, Neighborhood Business, B-3, General Business, P, Public Institutional, I-1, Limited Industry, and I-2, General Industry.
 - Removal of size limit
 - State Fire Code still restricts tank size based on contents
- Change from Permitted/Conditional Principal Use to Permitted Accessory Use.
 - Principal Use: use can exist on property by itself
 - No existing uses would be made nonconforming by this change
 - Accessory Use: use is secondary to primary use of property
- Require a fire permit from the Fire Marshal prior to use; site plan required with permit.

Commissioner Schaefer questioned whether the districts that allow above-ground storage tanks are changing. Planning Manager Shay stated that the districts that allow above-ground storage tanks are not changing. The Fire Prevention Code outlines more districts than the Zoning Code does, so moving the limitations into the Zoning Code and using the Zoning Code's district system simplifies matters.

Commissioner Schaefer clarified that the Accessory Use change means that there needs to be some kind of business that the storage is associated with; a lot cannot just be used for fuel tank storage. Planning Manager Shay confirmed in the affirmative.

Commissioner Hunting inquired about the removal of material from the Fire Code. Planning Manager Shay stated that the districts are incorporated into the zoning table, and the specific restrictions are being removed as the Fire Code already limits tank size based on the risk factors of the tank contents (propane, gas, diesel, etc.). Hunting expressed concern about whether the public concerns brought forward at the earlier meeting had been adequately addressed. Shay stated that people were opposed to the operation and rezoning in the referenced case request.

Opening of Public Hearing

None.

Planning Commission Discussion

Commissioner Schaefer inquired about residents living near Industrial areas and whether their concerns would be addressed by the change. Chair Weber stated that the allowance for the tank size would now be based on the Fire Code for the tank contents, and the public would still be notified.

Commissioner Schaefer inquired as to whether this Ordinance protects residents in areas adjoining Industrial areas. Planning Manager Shay stated that screening, setbacks, separation, and access requirements would all provide that protection. Chair Weber added that the Fire Code is more restrictive and thus more protective.

Commissioner Twedt questioned whether permit(s) would be needed for situations similar to that of the windshield washer fluid applicant in the future. Planning Manager Shay stated that if they had an above-ground storage tank, they would still have to submit an application for a fire permit. Because that is an administrative review process, it would go to City staff and the Fire Marshal, not the Planning Commission. Twedt stated that in his view, residents were adequately protected by the permit process.

Motion by Teiken, Second by Twedt, to Approve the Recommendation of the Ordinance for the Zoning Text Amendment to Title 9 of the City Code (Building and Development), Chapter 2, Section 4, and Title 10 of the City Code (Zoning Regulations), Chapter 6, Section 2, Relating to Above-Ground Storage Tanks.

Ayes: 7

Nays: 0 Motion Carried.

This item is tentatively scheduled to go before the City Council on June 9, 2025.

7. REGULAR BUSINESS

The Planning Commission meeting scheduled for June 17, 2025, has been canceled.

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Next Planning Commission meeting will be held on July 1, 2025, as scheduled.

8. ADJOURN

Motion to adjourn the meeting at 8:30 p.m.

Respectfully submitted by Will Cl Ashe, Recording Secretary.