

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 3, 2017 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tony Scales
 Armando Lissarrague
 Dennis Wippermann
 Jonathan Weber
 Joan Robertson
 Elizabeth Niemioja
 Pat Simon
 Annette Maggi

Commissioners Absent:

Others Present: Allan Hunting, City Planner
 Heather Botten, Associate Planner

HAMPTON COMPANIES – CASE NO. 17-42PUD

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning from R-1CPUD, a preliminary plat and preliminary PUD development plan for a 68-unit single-family villa development and a 32-unit assisted living facility, and a conditional use permit for a multiple-family development, for the property located along 80th Street, east of South Robert, and west of Babcock Trail. 5 notices were mailed.

Chair Maggi advised that staff recommends this item be tabled.

Opening of Public Hearing

There was no public testimony.

Motion by Commissioner Scales, second by Commissioner Wippermann, to table the request until further notice for a rezoning from R-1CPUD, a preliminary plat and preliminary PUD development plan for a 68-unit single-family villa development and a 32-unit assisted living facility, and a conditional use permit for a multiple-family development, for the property located along 80th Street, east of South Robert, and west of Babcock Trail.

Motion carried (7/0).

WIDSETH SMITH NOLTING (RIVER HEIGHTS VINEYARD CHURCH) - CASE NO. 17-41PR **(tabled from September 19, 2017)**

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that River Heights Vineyard Church is requesting a major site plan review to allow construction of a 10,263 square foot addition to the existing church at 6070 Cahill Avenue. The proposed addition would contain the new sanctuary and the existing building would be converted to a cafeteria and dining hall. The applicant is in the process of expanding their parking lot in anticipation of the new addition. Any new lighting must comply with the City's lighting standards. All rooftop and ground-mounted mechanical equipment must be screened from view of the public. 21 new overstory

trees, or their equivalent, are to be planted on site. Engineering has determined that the submitted plans will comply with stormwater standards and will not impact stormwater downstream in the Carleda Way neighborhood. Staff recommends approval of the request with the conditions listed in the report.

Commissioner Robertson questioned whether there would be sufficient lighting in front of the new structure.

Mr. Hunting stated that the applicant could best address that question. He noted that there were no performance standards requiring lighting, just standards that must be met should lighting be proposed.

Commissioner Wippermann asked if the recently expanded parking area would eventually be blacktopped.

Mr. Hunting replied in the affirmative, stating they were in the process of getting that completed.

Opening of Public Hearing

Peter Benedict, Pastor of River Heights Vineyard Church, 9019 Coffman Circle, advised he was available to answer any questions.

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

Mr. Benedict replied in the affirmative.

Commissioner Simon asked the applicant to identify a specific area shown on the site plan.

Mr. Benedict replied it indicated new paving.

Commissioner Wippermann asked if the exterior materials would be similar to those of the existing building.

Mr. Benedict replied in the affirmative.

Commissioner Robertson asked the applicant to address the proposed lighting.

Mr. Benedict replied that they planned on maintaining the same level of lighting as currently exists for safety reasons.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Lissarrague, to approve the request for a major site plan review to construct a building addition on the property located at 6070 Cahill Avenue, with the conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on October 23, 2017.

WASATCH STORAGE – CASE NO. 17-46C

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to allow a mini-storage facility with outdoor storage, and any variances related thereto, for the property located along 50th Street, east of Highway 52, and north of I-494. 160 notices were mailed.

Chair Maggi noted that a variance from the minimum landscaping requirements was also being requested.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting a conditional use permit (CUP) to allow a ministorage facility with outdoor storage and a variance from the minimum landscaping requirements. The property is zoned B-3, General Business. The applicant is proposing two storage buildings; the northerly would be 11,600 square feet in size and the southerly would be a two-story 88,000 gross square foot building. The property is 4.48 acres in size and is currently four separate tax parcels. A condition of approval is that they combine the four tax parcels into one, which can be done at an administrative level. The property also has two billboard easements. Proposed parking for the site consists of five customer/employee parking stalls. The zoning code does not have any requirements for a minimum number of parking spaces. Staff is comfortable with the proposed parking. The zoning code requires the equivalent of 100 trees to be planted. The submitted landscape plan shows the equivalent of 70 trees. The applicant is asking for a variance from the minimum landscaping requirements. They are not able to install landscaping in the sign easement areas, there is challenging topography along the westerly border, and there are two infiltration basins on the site which limit the location of plantings. They are proposing shrubs along the southern property line. Staff recommends replacing the proposed shrubs with 20 ornamental trees to soften the view of the 400-foot long building from I-494. This would result in the equivalent of 80 trees rather than the 70 proposed by the applicant. Staff supports the conditional use permit to allow a mini-storage facility with outdoor storage. Staff recommends denial of the variance with the landscaping plan as submitted, but would be in support of the variance with the replacement of the shrubs along the south property line with 20 ornamental trees. Commissioners were given a copy of an email from a neighbor opposed to the request. A neighbor is also here tonight who is not in support of the request.

Chair Maggi asked how wide the southerly planting area was.

Ms. Botten replied 10 feet.

Commissioner Simon asked if there were any restrictions on the outdoor storage, such as no for sale signs, recreational vehicles only, etc.

Ms. Botten replied there were not, but the Planning Commission could add some if desired.

Opening of Public Hearing

Scott Wykoff, Wasatch Storage Partners, 3041 East Tolcate Lane, Salt Lake City, Utah, advised he was available to answer any questions.

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

Mr. Wykoff replied in the affirmative. He advised that they have met with some of the neighbors and would try to address their concerns. He advised that because of the topography, the two-story

building would essentially be one-story high with drive-in access on the southern elevation and one-story with daylight windows along the northern elevation. He advised that their lease agreement included conditions for stored RV's (i.e. must be operable, maintained, etc.). Their facilities are operated by professional management companies, they have security systems in place (keypad access, closed circuit cameras, alarms, etc.), and keep their facilities clean. They plan to have the site well-lit for security; however, the light would not spill over the property line. The RV parking area will be located between the buildings where it cannot be seen from the road. The self-storage facility would have minimal traffic generation. From a branding standpoint it is important for them to have visibility along I-494; therefore, they would prefer to plant shrubs and bushes along that side rather than ornamental trees, as proposed by staff, which would cover up their signage and the billboards.

Commissioner Niemioja asked for clarification of the billboard easement restrictions.

Mr. Wykoff explained that they are not allowed to obstruct the view of the billboards.

Commissioner Niemioja asked if they were required to apply for a separate sign permit.

Mr. Wykoff replied in the affirmative.

Commissioner Wippermann asked what the operating hours would be.

Mr. Wykoff replied the office hours would be approximately 9 AM–6 PM, with gate hours being approximately 6 AM –10 PM.

David Mrozinski, 2390 - 50th Street, stated he was not opposed to the request, but noted that his home was also for sale so that whole area along the highway would be available for whatever the City felt would be best.

Shannon Bagan, 4936 Bisset Lane, stated she lived directly across the street from the subject property. She requested that the current proposed landscaping along 50th Street be replaced with evergreen trees to buffer her view of the future buildings.

Ms. Botten stated the applicant's proposal complies with code requirements to have at least 50% of the trees be deciduous or coniferous overstory trees. To require coniferous trees to be planted along the northerly property would be a condition of approval that the Planning Commission could add.

Ms. Bagan stated she built where she did because of the privacy; however, the trees that were previously on the subject property were since removed. Planting coniferous trees on the northerly property line would help maintain her privacy, and the applicant has indicated he would be amenable to her suggestion.

Commissioner Simon suggested they require that all trees along 50th Street be coniferous and that the applicant switch out coniferous trees proposed for other locations on the property with what was currently proposed along the north property line.

Commissioner Lissarrague asked if certain trees were required to be on the site in general; not necessarily in a specific location.

Ms. Botten replied in the affirmative.

Timothy Galarnyk, 2498 – 49th Street East, stated he had an end unit and would have a clear view

of the proposed buildings, he questioned how many storage units were proposed, and noted that last year someone removed all the trees from the subject property.

Commissioner Niemioja advised Mr. Galarynk that the trees were removed by the property owner at the time.

Commissioner Simon stated the tree removal was done in relation to a previous approval for a similar type of storage facility.

Mr. Galarnyk stated that in his opinion the proposed storage facility would generate a lot of traffic and therefore he would like a traffic study done, the project would likely exacerbate an existing neighborhood problem with vandalism, and he does not believe the proposed facility belongs in this residential area. When he bought his home in 2005 he was told that this area was going to be rezoned to residential.

Commissioner Niemioja asked who told him the subject property would be rezoned to residential.

Mr. Galarnyk replied the builder and the City Engineer, and in his opinion it should be rezoned to residential.

Commissioner Lissarrague advised that the proposed facility was an allowed use in its zoning district if they complied with the guidelines.

Chair Maggi asked if the zoning district could be changed by the City.

Ms. Botten replied that would have to be initiated by the applicant/owner.

Chair Maggi advised it is difficult when commercially zoned property has been vacant for many years and people get used to the open green space; however, it is the property owners right to develop it within the rules of the zoning.

Ms. Botten advised that the property has been zoned commercial since at least 1995.

Commissioner Weber asked what the property to the west was zoned.

Ms. Botten replied Office Park.

Mr. Galarnyk stated they should not allow the variance for the trees as there were many places they could be planted on the property.

Ms. Botten clarified that it was the previous owner who clear-cut the property; not the applicant.

Mr. Galarnyk noted that the IGH Fire Department routinely used 50th Street for practice.

Commissioner Robertson stated that likely the Fire Department staff was aware of the request.

Mr. Galarnyk stated the storage facility would negatively affect his property value.

Chair Maggi asked Mr. Galarnyk what commercial use he would be comfortable with in that space.

Mr. Galarnyk replied office.

Chair Maggi stated that likely the traffic generation and building height of an office use would be

greater than with the proposed use.

Mr. Galarnyk disagreed, stating the traffic volumes were very low in the Blackberry Town Offices where he worked.

Mr. Mrozinski advised that he has been dealing with the commercial realtor who stated there is interest in putting high rise apartments in this area. He also advised that the Fire Department is aware they no longer will be able to practice on 50th Street.

Commissioner Lissarrague asked Mr. Mrozinski if he was for or against the request.

Mr. Mrozinski replied he was not against the request as long as he got a good price for his property.

Mr. Wykoff advised there would be approximately 750-880 storage units.

Commissioner Niemioja asked what type of shrubs were being proposed along the southern property line.

Vickie VanDell, Loucks Associates, replied spirea, dogwoods, and sumac.

Commissioner Niemioja asked the applicant if they would be willing to install 8' x 10' shrubs on the south side versus 3' shrubs or ornamental trees.

Mr. Wykoff replied that anything that would maintain visibility along I-494 would be helpful. He noted there were also existing trees on the site that would remain.

Commissioner Niemioja asked the applicant if they would be willing to plant more coniferous trees along 50th Street.

Mr. Wykoff replied if they could plant lower growing vegetation on the south side they would be willing to plant additional coniferous trees along 50th Street as a buffer.

Commissioner Robertson stated she was comfortable with allowing shrubbery along the freeway side, for visibility and security reasons, and then adding coniferous trees to the northern property line.

Commissioner Niemioja asked Commissioner Robertson if she would be in favor of adding 10 additional trees, as proposed by staff.

Commissioner Robertson stated if the applicant was willing to add good-sized coniferous trees to the northern property line to meet the needs of the neighbors she did not believe additional trees were necessary.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Scales advised that approximately 20 years ago the City re-landscaped Cahill by planting ornamental trees. Those trees have since been removed because they eventually covered up the business signage. Because of that, he would prefer to leave shrubs on the southern property line and not require additional trees in that area.

Commissioner Weber suggested that Condition 2 be modified to require that shrubbery be

provided on the south property line and additional coniferous trees be planted on the northern property line.

Chair Maggi was uncomfortable with the idea of the Planning Commission dictating the type of trees a developer can plant.

Commissioner Weber responded that he felt it was within the Planning Commission's purview as they were addressing a request by staff to modify one of the conditions by adding ornamental trees on the south property line.

Commissioner Robertson agreed, stating both the applicant and the abutting neighbor were amenable to adding coniferous trees along 50th Street.

Commissioner Niemioja stated in her opinion it was fair for the Planning Commission to have a say over the aesthetics of the proposed landscaping.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Wippermann, to approve the request for a conditional use permit to allow a mini-storage facility with outdoor storage, with the conditions listed, and a variance from the minimum landscaping requirements, with a change to Condition 2 to 1) strike the requirement for 20 ornamental trees to be planted along the south property line and 2) to require more coniferous trees along the north property line, for the property located along 50th Street, east of Highway 52, and north of I-494.

Commissioner Niemioja asked if the motioners would consider amending the motion to be more specific on the number of coniferous trees to be added.

After some discussion, the motioner and seconder agreed to amend the motion to require that 60% of the trees on the north property line be coniferous.

Commissioner Wippermann stated there was a clear practical difficulty for this variance request.

Motion carried (7/0 with one abstention - Maggi). This item goes to the City Council on October 23, 2017.

OTHER BUSINESS

REVIEW CONSISTENCY WITH COMPREHENSIVE PLAN – PURCHASE OF PROPERTY FOR FIRE STATION

Mr. Hunting advised that the City is in negotiations with the Carlson family for the purchase of their property near the intersection of Courthouse Boulevard and Concord Boulevard for a future fire station. A portion of the site will eventually be sold for commercial development. By Statute the Planning Commission must review capital improvement projects for consistency with the comprehensive plan. The property is currently guided Regional Commercial and zoned General Business; however, fire stations are only allowed on property zoned and guided for Public/Institutional. Once the property is purchased City Council would then go through the process of changing the land use designation for the fire station to Public Institutional and bringing it into the MUSA boundary. The Planning Commission is to make a recommendation on consistency with comprehensive plan as it relates to the purchase of property for the future fire station.

Commissioner Niemioja did not have an issue with deviating from the current comprehensive plan

as there was a public safety need.

Commissioner Scales asked if there was a way he could find out what process the City used to determine the valuation of the property.

Mr. Hunting suggested he attend the October 9 City Council meeting where the purchase agreement would be discussed.

Commissioner Wippermann asked if there were two residences on the subject property.

Mr. Hunting replied there was only one residence but additional accessory buildings.

Commissioner Weber asked if City Council had already chosen the firm to draw up the fire station plans.

Mr. Hunting replied that Council approved a contract for a firm to design a fire station; one that could be located on this or any other parcel.

Motion by Commissioner Weber, second by Commissioner Niemioja, to recommend that the capital expenditure for the purchase of land for a future fire station was consistent with the comprehensive plan for the betterment of the City.

Motion carried (8/0). This item goes to the City Council on October 9, 2017.

Mr. Hunting reminded Commissioners that a joint meeting with the Housing Committee was scheduled for October 24 at 5:00 p.m. to discuss the comprehensive plan update.

The meeting was adjourned by unanimous vote at 8:09 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary