

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**Tuesday, October 17, 2017 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. CALL TO ORDER

2. APPROVAL OF PLANNING COMMISSION MINUTES FOR SEPTEMBER 19, 2017

***Minutes for October 3, 2017 are not yet available but will be included in the next packet.**

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 FRANK RAUSCHNOT - CASE NO. 17-47CV

Consider the following requests for the property located at 6751 Cahill Avenue:

- a) a **Conditional Use Permit** to expand a non-conforming structure up to 30% gross square feet.

Planning Commission Action _____

- b) a **Variance** to exceed a 30% expansion of a non-conforming structure.

Planning Commission Action _____

3.02 CALATLANTIC GROUP, INC – CASE NO. 17-48PUD

Consider a **Final Plat and Final PUD Development Plan** for Blackstone Vista 3rd Addition (Blackstone Highlands). This request is for the property located at 71st Street, south of 70th Street and east of Blackstone Vista.

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Kim Fox at 651.450.2545 or kfox@invergroveheights.org

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, September 19, 2017 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Commissioner Scales 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

Commissioners Absent: Annette Maggi

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

APPROVAL OF MINUTES

The September 5, 2017 Planning Commission minutes were approved as submitted.

WIDSETH SMITH NOLTING – CASE NO. 17-41PR

Reading of Notice

Commissioner Simon read the public hearing notice to consider a major site plan review to construct a 10,600-square foot building addition, for the property located at 6070 Cahill Avenue. 38 notices were mailed.

Allan Hunting, City Planner, recommended that this item be tabled to the next Planning Commission meeting due to Engineering staff needing additional time to review significant changes made to the grading and stormwater plans.

Opening of Public Hearing

There was no public testimony.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Robertson, to table the request for a major site plan review to construct a 10,600 square foot building addition, on the property located at 6070 Cahill Avenue, to the October 3 Planning Commission meeting.

Motion carried (7/0).

CITY OF INVER GROVE HEIGHTS – CASE NO. 17-39VAC (tabled from September 5, 2017)

Presentation of Request

Tom Kaldunski, City Engineer, explained that the City received a request to vacate an existing drainage and stormwater ponding easement on the River Heights Vineyard Church site at 6070 Cahill Avenue. The easement was secured in 2016 to provide an area to manage stormwater runoff from a parking lot expansion. In early 2017 the church asked the City to consider vacating this easement so they could consider constructing a future building. During the review of a future street improvement project in the area, the City was made aware of a high-water issue in the

Carleda Avenue area, south of the church. Staff has not studied the complete drainage issue at this point as the project has not yet been scheduled. In response to the Planning Commission's question as to whether there were other options for handling stormwater runoff, Mr. Kaldunski advised there are other options, including ponding on nearby City-owned parcels, rerouting the stormwater through existing storm sewers, increasing the pipe size, rain gardens, etc. If a proposal comes forward for a new building on the northern portion of the site, they will address stormwater at that time to ensure they treat the additional impervious surface. If a proposal does not come in, the existing system will continue to effectively service the area.

Commissioner Scales asked what process the City uses to put drainage easements in place.

Mr. Kaldunski explained that in certain areas, such as the Northwest Area, there is a comprehensive stormwater management plan in place. In older parts of the community, such as the location being discussed, there is not a plan identifying where issues are and where solutions might lie. They are generally addressed when working on a street project or when someone comes forward with a proposal. In this case the City was not aware of any potential flooding issues in the Carleda neighborhood until they started discussing a street improvement project for that area.

Commissioner Scales asked whether the stormwater rerouting would eventually occur but was just not feasible at this time.

Mr. Kaldunski replied that if the church comes in with a proposal for a new building the codes and ordinances in place give the City the ability to ask for an easement again. If a building does not get built and the City decides to correct this drainage, the City may have to buy back an easement in the future.

Commissioner Scales asked what the protection was for homeowners on Carleda if the easement was vacated.

Commissioner Robertson asked what was north of the proposed vacated easement area.

Mr. Kaldunski was unsure, but was not aware of any drainage issues to the north. The only issues he was aware of were to the south.

Commissioner Robertson asked if the entities to the north relied on the easement in question.

Mr. Kaldunski stated that their site likely drains to the low spot and infiltrates into the ground.

Commissioner Robertson asked if that would be an area that the City would not have to be concerned about should the easement be vacated.

Mr. Kaldunski replied there was always a potential for an unusually large rainstorm, but he believed the area would be protected in its current condition.

Commissioner Weber asked how far the proposed building would go into the existing easement.

Mr. Hunting clarified that the City received an application for an expansion of the church building. Mr. Kaldunski is referring to something different, which is a potential future proposal for a new detached building on the northern part of the lot. So far there have been only general discussions regarding this building.

Mr. Kaldunski showed where the proposed addition onto the existing church would be located and

explained that it would not be in the easement area being discussed tonight. He advised that if a proposal comes in for a new building on the northern portion of the site they can entertain other options for stormwater management as long as they have the needed storage capacity.

Commissioner Wippermann asked for clarification regarding a statement in the report that 'the city has determined it is not feasible to complete the stormwater rerouting at this time'.

Mr. Kaldunski stated the comment was more related to not having done a study yet on feasibility and a more detailed review of the pipes. There are several alternative options for stormwater management; however, as previously mentioned.

Opening of Public Hearing

Rick Klun, Executive Director of Center City Housing Corporation, 105-1/2 West 5th Street, Duluth, MN, showed where the potential new building would be located.

Commissioner Robertson asked if they were anticipating additional parking associated with the potential new building.

Mr. Klun replied in the affirmative.

Peter Benedict, 9019 Coffman Circle, Pastor for River Heights Vineyard Church, stated he does not anticipate any drainage from the church site flowing to the vacant home north of them.

Commissioner Scales closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Simon to approve the request to vacate an existing drainage and stormwater ponding easement on the River Heights Vineyard Church site at 6070 Cahill Avenue.

Commissioner Weber stated he was uncomfortable giving up an easement if the City may have to buy it back again.

Mr. Kaldunski stated that if the project never comes to fruition the church property would stay as it is today, which handles the drainage effectively. Giving up the easement now would allow them to explore the possibility of a new building which would be good for the community. There would still be a requirement for them to give the City an easement.

Second by Commissioner Weber.

Motion carried (7/0). This item goes to the City Council on September 25, 2017.

GERALD SALMEY – CASE NO. 17-44V

Reading of Notice

Commissioner Simon read the public hearing notice to consider a request for a variance to allow a zero setback for a driveway, whereas five feet is required, for the property located at 8460 Cooper Way. 6 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property is zoned R-1C, Single-Family Residential. The applicant is proposing to improve his driveway by installing blacktop over the existing rock parking area. The existing rock has been

in place for over 20 years and goes up to the property line. The variance is being requested because driveways and parking areas are required to maintain at least a five foot side yard setback from property lines. The applicant uses the existing rock area to park his RV. In 2016 the parking ordinance was amended to require recreational vehicles to be parked on a solid parking pad. In addition to that requirement, the parking pad has to be immediately connected to the driveway and located on the side opposite the front door. If the applicant were able to follow all those requirements the property is not able to meet the setback requirements. The property is also located along a curve, with a lot width of 74 feet at the curb. Also, the house is not located in the center of the property. If it were, there would be enough room for the applicant to comply with the five-foot setback. Staff recommends approval of the request with the practical difficulty being the lot width of the property, placement of the home, and the fact that the required parking area for an RV is not able to meet setbacks on the property without a variance. Staff recommends approval of the request with the one condition listed in the report. Staff heard from the neighbor to the north, who is in support of the request, and also received one general inquiry.

Commissioner Robertson stated a precedent had already been set as the Planning Commission recently recommended approval of a similar request.

Opening of Public Hearing

Gerald Salmey, 8460 Cooper Way, advised he was available to answer any questions.

Commissioner Scales asked the applicant if he read and understood the report.

Mr. Salmey replied in the affirmative.

Commissioner Simon asked if a property line survey had been done.

Mr. Salmey replied that it had not; however, he and his neighbor were in agreement as to its location.

Commissioner Simon asked the applicant how long he had lived there.

Mr. Salmey replied since 1983.

Commissioner Simon noted that was prior to the new front yard parking ordinance.

Commissioner Wippermann asked if the proposed blacktop would go right up to the neighbor's blacktop.

Mr. Salmey replied that it would not. He advised that the neighbor would like it to, but in order to do so she would have to get a variance as well.

Commissioner Scales closed the public hearing.

Planning Commission Discussion

Commissioner Wippermann did not agree with the following portion of the practical difficulty as the statement applies to every variance request: 'the required parking area for an RV is not able to meet setbacks on the property without a variance'.

Commissioner Niemioja noted that the parking area also had to be immediately connected to the driveway on the side opposite the front door, which constitutes a practical difficulty in that there is only one spot that meets all the requirements, as well as being grandfathered in after 20 years of parking there.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Niemioja, to approve the request for a variance to allow a zero setback for a driveway, whereas five feet is required, for the property located at 8460 Cooper Way, with the condition listed in the report and the practical difficulty being that the ordinances changed and the only way for the applicant to comply with the new ordinance was to get a variance.

Motion carried (7/0). This item goes to the City Council on September 25, 2017.

SEAN WRIGHT – CASE NO. 17-40V

Reading of Notice

Commissioner Simon read the public hearing notice to consider a request for a conditional use permit to expand a non-conforming structure up to 30% of its gross floor area, a variance to exceed a 30% expansion of a non-conforming structure, and a variance to exceed the 25-foot maximum building height, for the property located at 6825 Cahill Avenue. 18 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property is zoned B-1, Limited Business. The applicant is requesting a conditional use permit and two variances to expand the existing home and add an attached garage. The property is .41 acres in size and zoned B-1, Limited Business. The house was built in 1930, prior to the adoption of the city code, which makes the house a legal non-conformity. There is no garage on the property; City code allows a garage addition if none previously existed. The zoning code allows existing non-conformities to conditionally expand the gross floor area by up to 30%. The applicant is proposing to add 2,150 square feet of living space; therefore, a variance is being requested to exceed 30%. The applicant is also requesting a variance to exceed the maximum height requirement in the B-1 district (25 feet) to allow a building height of 35 feet, which is in compliance with our residential height requirements. The applicant is proposing a 2,150-square foot home addition and a 1,200-square foot attached garage addition. Approval of the request would reduce the opportunity for commercial redevelopment, but would be compatible with the surrounding single-family neighborhood. Staff finds the footprint of a two-car garage, which would be allowed by code, plus an addition that would meet the height requirements of a residential district, to be more of a reasonable request for the site. The property has historically been used as a residential property and is located in the most restrictive commercial district. If the property had been in the B-2 or B-3 district a 35-foot height would be allowed. Staff supports the height variance because it complies with the residential height requirements. Staff recommends approval of the CUP to expand a legal non-conformity by up to 30% and also recommend approval of the 35-foot building height, with the conditions and rationale listed in the staff report. Staff does not support the size variance as presented due to the fact that they do not find the property so unique or limiting that it cannot be used in a reasonable manner without the request. The large addition would be considered a convenience to the applicant rather than a practical difficulty. Staff received a voicemail from one neighbor but was unable to contact them so not sure whether they were in support of the request or not.

Commissioner Scales asked where the requirement to allow a two-car garage was in city code.

Ms. Botten replied that it was in the non-conforming use section of the code. It does not specify a two-car garage but states that if a garage never existed they are allowed to have one.

Commissioner Robertson asked if the code specifically prohibited anything larger than a two-car

garage.

Ms. Botten advised that the code does not specify two-car, but in conversations with the City Attorney it was determined that a two-car garage would be deemed a reasonable request.

Commissioner Simon asked where the garage would be in relation to the proposed addition.

Ms. Botten showed where the attached garage addition was proposed to be located, with another stall in the back.

Commissioner Weber asked if the single-car garage would be underneath the two-car garage on the other side of the house.

Ms. Botten replied in the affirmative.

Commissioner Lissarrague asked what the thought was behind the house height.

Ms. Botten replied that the maximum height for residential, B-2, and B-3 districts was 35 feet. She was unsure why the height maximum in the B-1 district was only 25 feet.

Mr. Hunting advised that restriction has been in existence for quite some time and it was likely assumed only single-story buildings would be in that zoning district.

Commissioner Weber asked what the smallest residential district allowed for a maximum height.

Ms. Botten replied 35 feet.

Commissioner Wippermann asked for confirmation that the City had recently changed the ordinance to permit greater residential use on the northern portion of Cahill Avenue.

Ms. Botten replied in the affirmative, stating it was in relation to a multi-use property. That does not apply in this case because there is not a business being operated on the property.

Commissioner Wippermann stated in his opinion when they approved the last request and changed the ordinance the City was basically making the decision to convert this area to more residential rather than business.

Commissioner Robertson asked if there were any concerns regarding this commercially zoned property currently being used, and proposed to be used, solely as residential.

Ms. Botten advised there were several properties along Cahill zoned B-1 but used as residential.

Commissioner Niemioja suggested that this area be addressed in the comprehensive plan update process.

Mr. Hunting advised that the Planning Commission would have an opportunity during the comprehensive plan update to raise this as a concern. The Planning Commission can also address tonight whether they think the area should be rezoned or re-guided to residential.

Commissioner Robertson was concerned about the existing homeowners as they were not protected from someone coming in with a business that conforms to the B-1 zoning district.

Ms. Botten agreed that if such a business came in the neighbors would be notified of the public

process, but they would not be protected from it.

Commissioner Robertson noted that until the comprehensive plan was officially changed the homeowners were potentially vulnerable.

Ms. Botten noted that there were some homes in that area that also had businesses on the property.

Commissioner Scales recalled that in the 1970's and 1980's this area was anticipated to change over to commercial and the houses were expected to be moved out over time. That never happened; however, and he recommended that they look at the area more as what it has been used for and not worry about business coming in in the future.

Commissioner Robertson stated now that they are aware of this issue the City may have an accountability to rezone the property appropriately.

Opening of Public Hearing

Sean Wright, 6825 Cahill Avenue, advised he was available to answer any questions.

Commissioner Scales asked the applicant if he read and understood the report.

Mr. Wright replied in the affirmative.

Commissioner Simon asked the applicant if he would have adequate space to access the lower garage.

Mr. Wright replied in the affirmative, stating the proposed addition would be 16 feet from the property line.

Commissioner Niemioja asked the applicant if he planned to stay awhile on the property.

Mr. Wright replied in the affirmative, stating to him the proposed changes made sense as the house was small and was not laid out very well.

Commissioner Lissarrague asked the applicant what he did for a living.

Mr. Wright replied remodeling.

Commissioner Lissarrague asked the applicant if he would be agreeable with the smaller addition that staff was recommending.

Mr. Wright replied he was not sure if it was possible.

Commissioner Robertson asked if the proposed addition would comply with impervious surface maximums.

Ms. Botten replied in the affirmative.

Commissioner Lissarrague asked staff what their main concern was.

Ms. Botten replied they were mostly concerned about the amount of proposed additional square footage.

Eleanor Denzer, 6781 Cahill Avenue, and Verna Wilson, 3491 East 71st Street, stated concerns regarding the proposed addition. It was determined; however, that they were mistakenly discussing a different property.

Ms. Denzer advised that although her property was zoned B-1 she was using it solely as residential and planned to remain residential.

Commissioner Lissarrague asked who owned the property.

Mr. Wright replied it was owned by him and his wife and he planned to live there with their two children.

Ms. Denzer asked the applicant if he planned to paint cars or engage in noisy activities.

Mr. Wright replied he only does woodworking.

Commissioner Robertson asked the applicant how he could reduce the size of the proposed addition to bring it into compliance with the 30% allowed by code.

Mr. Wright replied he was unsure. He advised that his first thought would be to eliminate the lower garage, which would require building a large retaining wall and bringing in a lot of fill. He advised that the house was originally set up as a duplex and he would like to keep the two separate living spaces.

Commissioner Weber asked the applicant how many square feet of additional livable space he was proposing.

Mr. Wright replied a little under 2,200 square feet.

Commissioner Robertson asked what the total square footage would be.

Mr. Wright replied approximately 3,500 square feet.

Commissioner Robertson stated that although she understood the applicant's desire for more space, she was concerned about the fact that he was aware of the size of the home when he purchased it and was now asking for more space than the City could comfortably approve.

Commissioner Simon stated she would have a difficult time approving the variance to exceed the 30% expansion as the applicant would have reasonable use of their property without the addition and it seemed to be a want rather than a need.

Mr. Wright responded that the home was only 1,300 square feet in size, including both levels, and 30% would only be an additional 400 square feet. He stated the home was undersized for the lot.

Commissioner Robertson reiterated that the applicant knew the size of the home when he purchased it.

Commissioner Lissarrague asked how much it would cost to build the addition.

Mr. Wright replied approximately \$200,000.

Commissioner Scales closed the public hearing.

Planning Commission Discussion

Commissioner Niemioja stated she supported the request as she thinks that area will eventually be changed to residential and therefore what he is proposing would fit with the ultimate comprehensive plan guiding.

Commissioner Robertson asked how staff arrived at the 30% maximum expansion.

Ms. Botten replied by city code residents can expand the gross floor area of the non-conformity by 30% with a conditional use permit; anything exceeding 30% requires a variance.

Commissioner Scales recommended that the 30% maximum be revisited as it depended on the size of the house you started with. He believed we would likely see more of these situations as there were many smaller homes in the City on large lots. In his opinion, it was unreasonable to allow only an additional 400 square feet on the subject property.

Commissioner Lissarrague noted that the applicant was adding value to the neighborhood and he supported the request.

Commissioner Simon asked if the variances would be necessary if the property was zoned residential rather than B-1.

Ms. Botten stated she would have to review it more, but likely it would be conforming in a residential district; however, an additional variance from front yard setback would be necessary. Staff would likely support that variance if they did not encroach further than the existing building.

Commissioner Simon stated after hearing further testimony she would now support the variance on the basis that the southern portion of the B-1 neighborhood would likely eventually be rezoned to residential.

Commissioner Wippermann stated by approving a previous ordinance change they have supported allowing more residential in the B-1, and he had no issues with the request.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Lissarrague, to approve the request for a conditional use permit to expand a legal nonconforming structure by 30% of its gross floor area, a variance to exceed the 30% expansion of a nonconforming structure, and a variance to exceed the maximum height allowed in the B-1 district, for the property located at 6825 Cahill Avenue, with the conditions listed in the report, and with the practical difficulty being that the property has been used as a residential property rather than commercial and should be zoned as a residential property.

Motion carried (7/0). This item goes to the City Council on October 9, 2017.

BITUMINOUS ROADWAYS – CASE NO. 17-43CZ

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit amendment for the mining and processing of sand and gravel, an asphalt plant and contractor's yard with open storage and a five-year sand and gravel overlay district for the property, and an ordinance amendment for the renewal of a five-year sand and gravel overlay permit for the property located at 11661 and 11201 Rich Valley Boulevard. 28 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that Bituminous Roadways operates an asphalt plant and sand and gravel mining operation in the southern half of the City on Rich Valley Boulevard since 1963. A condition of the sand and gravel overlay district requires renewal every five years; the last approval was in October 2012.

Bituminous Roadways is requesting three changes to the current approvals, including 1) that the asphalt plant be allowed to start up and move some of their trucks that have been parked overnight out onto the road at 6:00 a.m. rather than 7:00 a.m., 2) be allowed to utilize an existing driveway on the southern end of the property as a backup secondary access, and 3) modify the monitory plan to eliminate the testing of the wash plant sedimentation ponds as they seal up with sedimentation and do not infiltrate or accurately identify content. Staff is not aware of any issues that exist with the site. If the Planning Commission supports the utilization of the secondary access it should be added as a condition of approval. Mr. Hunting noted that he misstated the language in Condition 5 regarding hours of operation. The language should be modified to match that of the narrative in regard to allowing vehicles that were parked overnight to exit the site. The applicants want the ability to have Bituminous Roadways trucks exit out of the site and to allow startup of the asphalt plant at 6:00 a.m. The resident who is surrounded by the plant, Mr. Wicker, has been notified of the request and he has voiced no concerns with the proposal. Staff recommends approval of the sand and gravel renewal for five years with the changes to the operation as laid out in the conditions.

Commissioner Lissarrague asked how the hours were originally set at a 7 a.m. start time.

Mr. Hunting replied that requirement has been in place for many years and he believes it was chosen as it was considered a typical startup time for many businesses.

Commissioner Lissarrague asked if that was a general startup time for Inver Grove Heights businesses.

Mr. Hunting replied not in all cases. The City generally likes contractors working in residential areas to refrain from starting work before 7:00 a.m.

Commissioner Lissarrague stated 7:00 a.m. would be considered a reasonable hour to begin work.

Commissioner Wippermann asked if there were any other sand and gravel operations in the City.

Mr. Hunting replied he was aware of two others in the City; Dawnway Demolition Landfill and the Max Steininger operation off Clark Road.

Commissioner Wippermann asked if tonight's approvals would set precedence for the other sand and gravel operations.

Mr. Hunting advised that he did not believe the others had established hours of operation.

Opening of Public Hearing

Kent Peterson, CEO of Bituminous Roadways, 6130 – 150th Street SE, Prior Lake, advised he was available to answer any questions.

Commissioner Scales asked the applicant if he read and understood the report.

Mr. Peterson replied in the affirmative. He advised that the extra hour they were requesting would enable them to get a jump on production. Also, there would likely be only three trucks leaving in

the morning.

Dale Nelson, 9860 Rich Valley Boulevard, stated that Rich Valley Boulevard is a narrow road that has sustained a lot of additional traffic and is also very popular with bicyclists. He advised that it has become a very dangerous situation because of dump trucks and side dumpers crossing center lines, exceeding sound and speed limits, etc. and he recommended that the permit not be renewed.

Terri Stark, 9860 Rich Valley Boulevard, stated that trucks going by on Rich Valley Boulevard wake them up in the morning and allowing them to begin work an hour earlier would affect the lives of the people living along that road.

Commissioner Scales closed the public hearing.

Planning Commission Discussion

Commissioner Wippermann asked if there was language in the conditions of approval prohibiting drivers from using Rich Valley Boulevard unless they were going to a project in Inver Grove Heights.

Mr. Peterson replied in the affirmative, stating their trucks are expected to go north to Cliff Road or south to 117th Street unless there is work in the area. He advised there are a lot of trucks in the area that are not hauling for Bituminous Roadways.

Commissioner Lissarrague stated he lived close to this area and it was true that it was a dangerous traffic situation as the number of trucks traveling has greatly increased. He was not in favor of allowing the asphalt operation to begin at 6:00 a.m.

Mr. Peterson clarified that no trucks would be able to enter the site until 7 a.m. and there would be no loading of trucks before 7 a.m. The extra hour would be for asphalt trucks that are onsite overnight.

Commissioner Lissarrague asked the applicant to explain the following statement in the report 'including startup of the asphalt plant'.

Mr. Peterson replied that would allow them to store asphalt as they are making it prior to loading it into the trucks.

Commissioner Lissarrague asked if the entire operation would be starting an hour early.

Mr. Peterson replied that was not correct; they would not be loading any trucks or allowing trucks to enter the site until 7:00 a.m.

Commissioner Niemioja stated although she sympathized with Mr. Nelson and Ms. Stark's concerns, she did not see a reason not to support the request. She noted that, unlike earlier requests, the business was not located in the middle of a residential neighborhood, and she does not place all the blame for the traffic issues on this applicant as there were many other trucks in the area.

Commissioner Weber advised that his house was very close to Rich Valley Boulevard and he also hears a lot of trucks. However, most of those trucks come from construction areas in other cities; not this location.

Mr. Nelson stated he will continue to monitor the traffic and will contact law enforcement with any

issues.

Commissioner Lissarrague asked if perhaps they should require the other sand and gravel operations to follow the same hours of operation.

Commissioner Scales stated he does not want to limit business owners because of what others are doing, and in this case he felt the traffic issues were more of a law enforcement issue.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commission Niemioja, to approve the ordinance amendment for the renewal of a five-year sand and gravel overlay permit, for the property located at 11661 and 11201 Rich Valley Boulevard, with the listed conditions and an additional condition to allow the applicant to utilize an existing driveway on the southern end of the property as a secondary access for the business.

Motion carried (6/1 - Lissarrague). This item goes to the City Council on October 9, 2017.

OTHER BUSINESS

Mr. Hunting asked Commissioners if they would be available to attend a two-hour work session on October 24 to discuss land use alternatives regarding the comprehensive plan update. He will ask the Housing Committee to attend as well and will keep Commissioners informed of the meeting details.

The meeting was adjourned by unanimous vote at 8:53 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

HEARING DATE: October 17, 2017

CASE NO: 17-47CV

APPLICANT& PROPERTY OWNER: Frank Rauschnot

REQUEST: A conditional use permit and variance to expand a legal nonconforming use

LOCATION: 6751 Cahill Avenue

COMPREHENSIVE PLAN: CC, Community Commercial

ZONING: B-1, Limited Business

REVIEWING DIVISIONS: Planning
 Engineering

PREPARED BY: Heather Botten 
 Associate Planner

BACKGROUND

The applicant is requesting a conditional use permit and variance to add an attached garage/mud room to the existing home. The property is .89 acres in size and zoned B-1, Limited Business. The existing house was built in 1957, prior to the City adopting a zoning code which makes the home a legal nonconforming use in the B-1 district. There is currently a detached garage on the property. The applicant is proposing a 952-square foot attached garage and mud room addition. Zoning code allows a lawfully existing nonconforming structure to conditionally expand its gross floor area by up to 30% and a variance to exceed that amount. The existing home and garage is about 1,844 gross square feet. The applicant is proposing a 952-square foot garage addition, which is a 52% expansion of the gross square feet of the existing buildings.

The specific request consists of the following:

- A.) A **Conditional Use Permit** to expand a legal nonconforming structure by 30% of its gross floor area.
- B.) A **Variance** to exceed the 30% expansion of a nonconforming structure.

EVALUATION OF THE REQUEST

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

North - Residential; zoned B-1, Limited Business; guided CC, Community Commercial
East - Bank; zoned B-2, Neighborhood Business; guided CC, Community Commercial
West - Park; zoned P, Public/Institutional; guided Public Open Space
South - Business; B-1, Limited Business; guided CC, Community Commercial

CONDITIONAL USE PERMIT REVIEW

City Code, Title 10-3A-1 states that a conditional use permit may be approved if the City determines the following:

1. *The use is consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*

The use is not consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Community Commercial the uses envisioned in this district would be commercial type of businesses. Approving an expansion of the residential use would reduce an opportunity for commercial or business redevelopment. If approved, the City may want to consider changing the comprehensive plan designation and zoning during the Comprehensive plan update process.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*

The applicant is proposing to add an attached garage and mudroom to the existing home located in a commercial district. The zoning code allows for expansion on non-conforming structures. The proposed addition would be in compliance with setbacks and impervious surface requirements in both the commercial and residential zoning districts.

3. *The use would not be materially injurious to existing or planned properties or improvements in the vicinity.*

The proposed use would not have a detrimental effect on public improvements in the vicinity of the project.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

This use does not appear to have any negative effects on City facilities or services.

5. *The use is generally compatible with existing and future uses of surrounding properties, including: Aesthetics/exterior appearance, noise, traffic, drainage, fencing, landscaping and buffering.*

An attached garage addition to an existing single-family home is compatible with the neighborhood. There is City park property to the west and residential to the north.

6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

The property is appropriate for the use. All setbacks have been met. Access to the property and traffic volumes would not be changing. Building code requirements would be reviewed at the time of building permit.

7. *The use does not have an undue adverse impact on the public health, safety or welfare.*

This use does not appear to have any negative effects on the public health, safety or welfare.

8. *The use does not have an undue adverse impact on the environment, including, but not limited to, surface water, groundwater and air quality.*

The proposed home would not have an undue adverse impact on the environment. The addition has been reviewed by the Engineering Department; grading and drainage will be reviewed at the time of Building Permit.

NONCONFORMING CUP CRITERIA

Section 10-16-5 of the Zoning Regulations states that a lawfully existing nonconforming structure or structure containing a legally existing nonconforming use may conditionally expand its gross floor area by up to thirty percent (30%) if the following criteria are satisfied:

1. *A complete conditional use permit application shall be applied for and approved by the city council. [Chapter 3, article A](#) of this title shall regulate the city review and approval or denial of the conditional use permit.*

The applicant has submitted a Conditional Use Permit Application.

2. *A complete building permit application shall be submitted to the building inspections division, found satisfactory and issued prior to the commencement of any work on the expansion.*

If approved, the applicant would then apply for the proper building permits.

3. *The structure expansion shall meet all of the bulk standards for the zoning district within which the structure is located. A variance may be applied for if the structure expansion does not meet the respective bulk standards. The variance application and its review by the city shall be regulated according to the section [10-3-4](#) of this title.*

The applicant has applied for a variance as detailed in this report.

4. *If an expansion is requested under this subsection, the city may impose standards and/or conditions upon the underlying nonconforming use or structure for purposes of health, safety or welfare.*

This criterion has been met; no conditions are proposed to be added for the purposes of health, safety, or welfare.

VARIANCE

City Code Title 11, Chapter 3. **Variances**, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variance, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria. The applicant is asking for a variance to allow a nonconforming use expansion to be greater than 30%

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The future land use designation of this parcel is Community Commercial; the uses envisioned in this district would be neighborhood businesses. Approving a residential expansion would reduce an opportunity for commercial or business redevelopment. If approved, the City may want to consider changing the comprehensive plan designation and zoning during the Comprehensive plan update process.

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

The property is a legal nonconforming lot; the nonconforming section of the zoning code states a variance may be applied for if the structure expansion does not meet the respective bulk standards. The use of the property has historically been residential and is proposed to continue to be used single-family residence. Staff finds the request to add an attached garage to be a reasonable request to the existing home.

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

The property is a legal nonconforming lot; the house was built in 1957 prior to the adoption of a City Code. The landowner did not request to be zoned commercial. The property has historically been used as a single-family residence. The lot size and width would meet or exceed the minimum requirements for a residential lot and there is ample room on the property for the proposed garage.

4. *The variance will not alter the essential character of the locality.*

The residential use of the property would remain the same. The proposed garage and mud room addition would be attached to the home and exceeding setback requirements. Overall, there would not be a great impact to the character of the locality as the proposed addition would complement the existing home.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

The Planning Commission has the following actions available on the following requests:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following actions or portions thereof should be taken:

- Approval of a Conditional Use Permit to expand a lawfully existing nonconforming structure subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department or as modified herein.
 2. Any expansion or future additions on the property may require additional city approvals or permits and is not part of this conditional use permit.
 3. Prior to issuance of building permits, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
 4. The applicant shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence. Prior to commencement of any grading, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
- Approval of the **Variance** to exceed the 30% expansion of a nonconforming structure subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department or as modified herein.
 2. Any expansion or future additions on the property may require additional city approvals or permits and is not part of this conditional use permit.

3. Prior to issuance of building permits, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
4. The applicant shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence. Prior to commencement of any grading, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.

Practical difficulty: The size of the existing home, built in 1957, limits how large an addition can be constructed without a variance. The property has historically been used as a residential property and an attached garage and mud room addition is a reasonable request for a single-family home even though the property is zoned commercial.

B. Denial. If the Planning Commission does not favor the proposed application the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

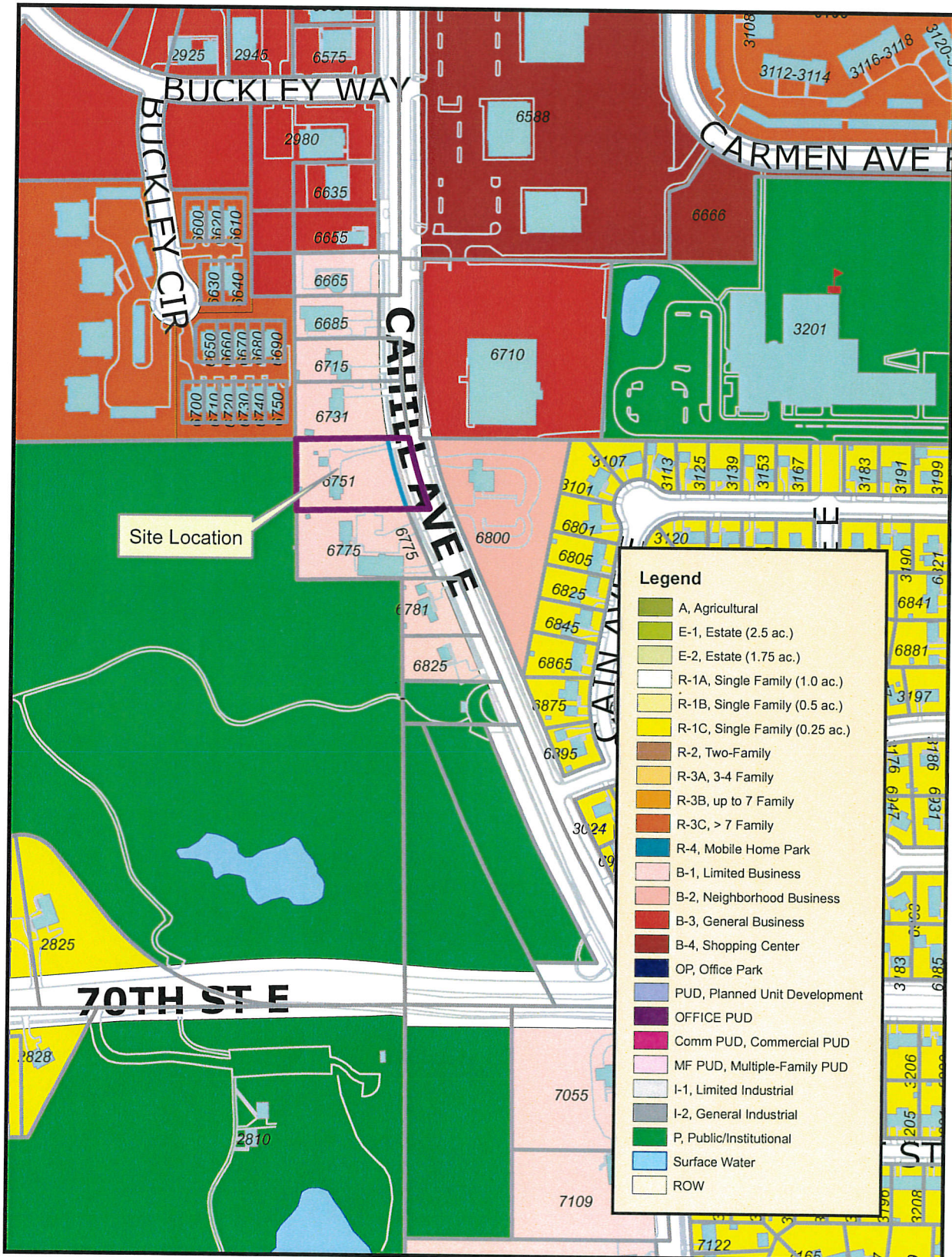
Based on the preceding report, staff has the following recommendations:

- Recommends approval of the **conditional use permit** to expand a legal nonconformity with the conditions listed.
- Recommends approval of the **variance** to exceed the 30% gross square foot expansion as submitted with practical difficulty and conditions listed.

Attachments: Location Map
Site Plan
Building Elevations



6751 Cahill Ave



THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.
Map produced by the City of Inver Grove Heights GIS Dept.
Copyright © City of Inver Grove Heights 2016

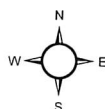
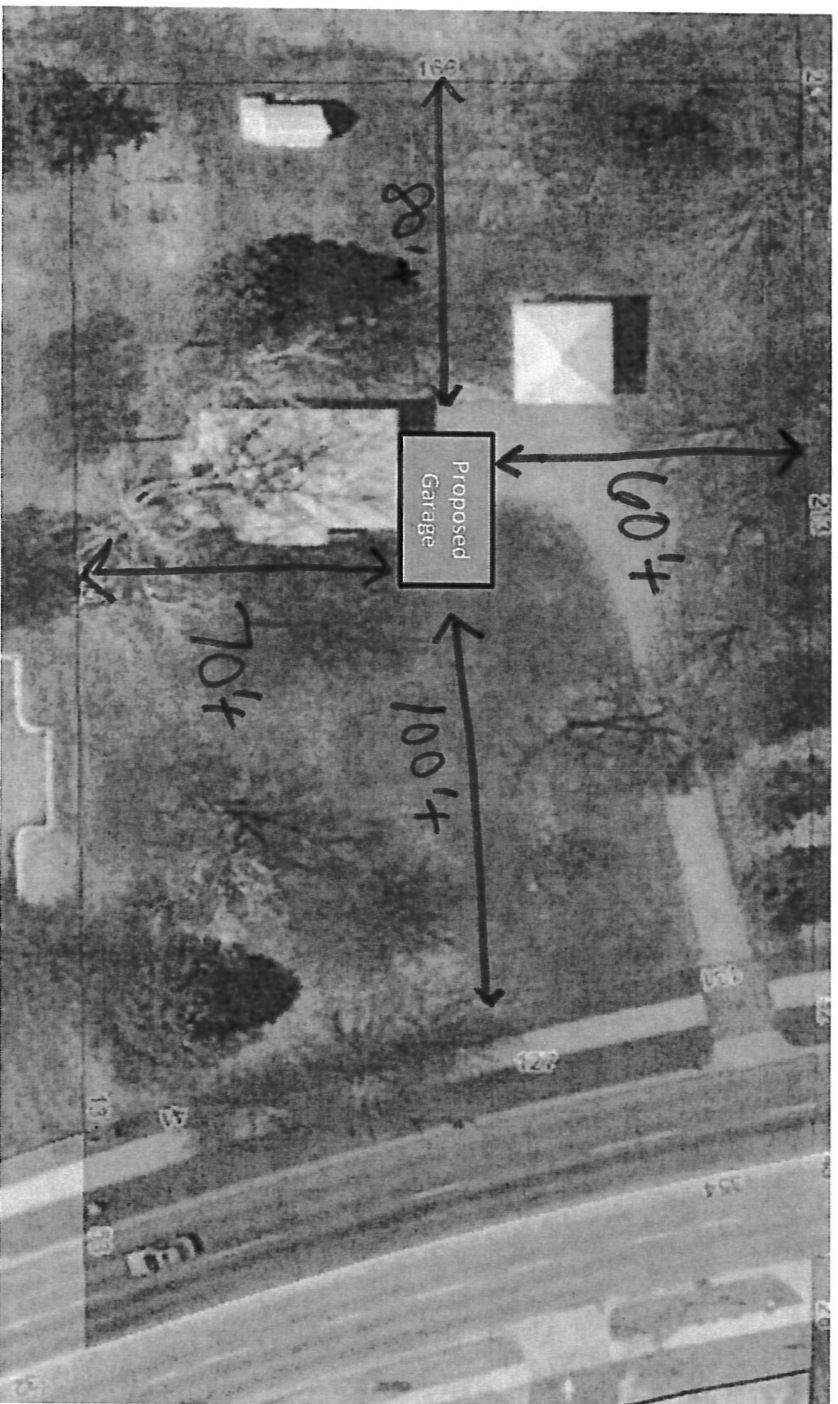


Exhibit A
Zoning and Location Map
Map not to scale

6751 Cahill – Lot size

213 FT



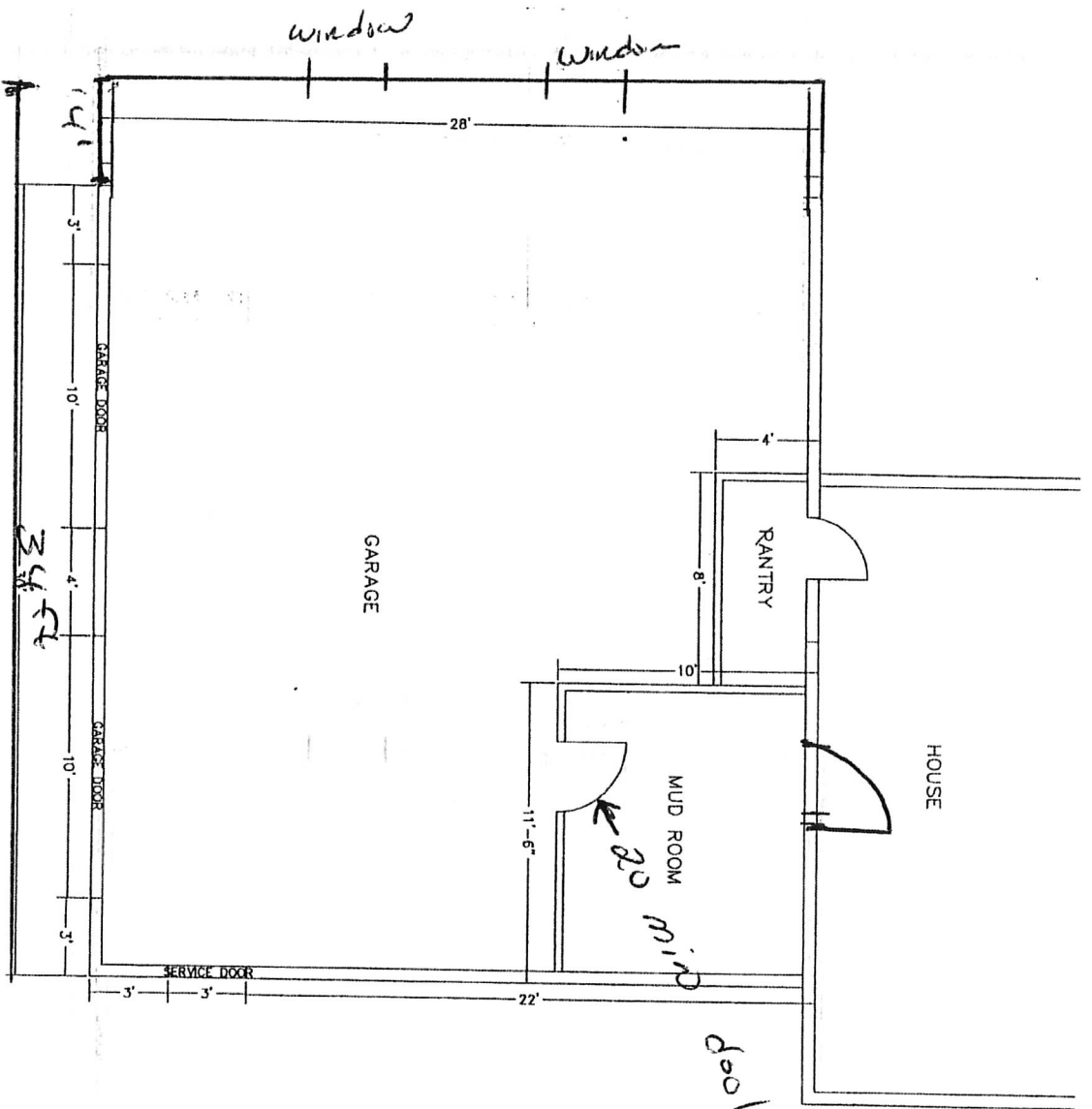
166 FT

172 FT

245 FT

Not to scale





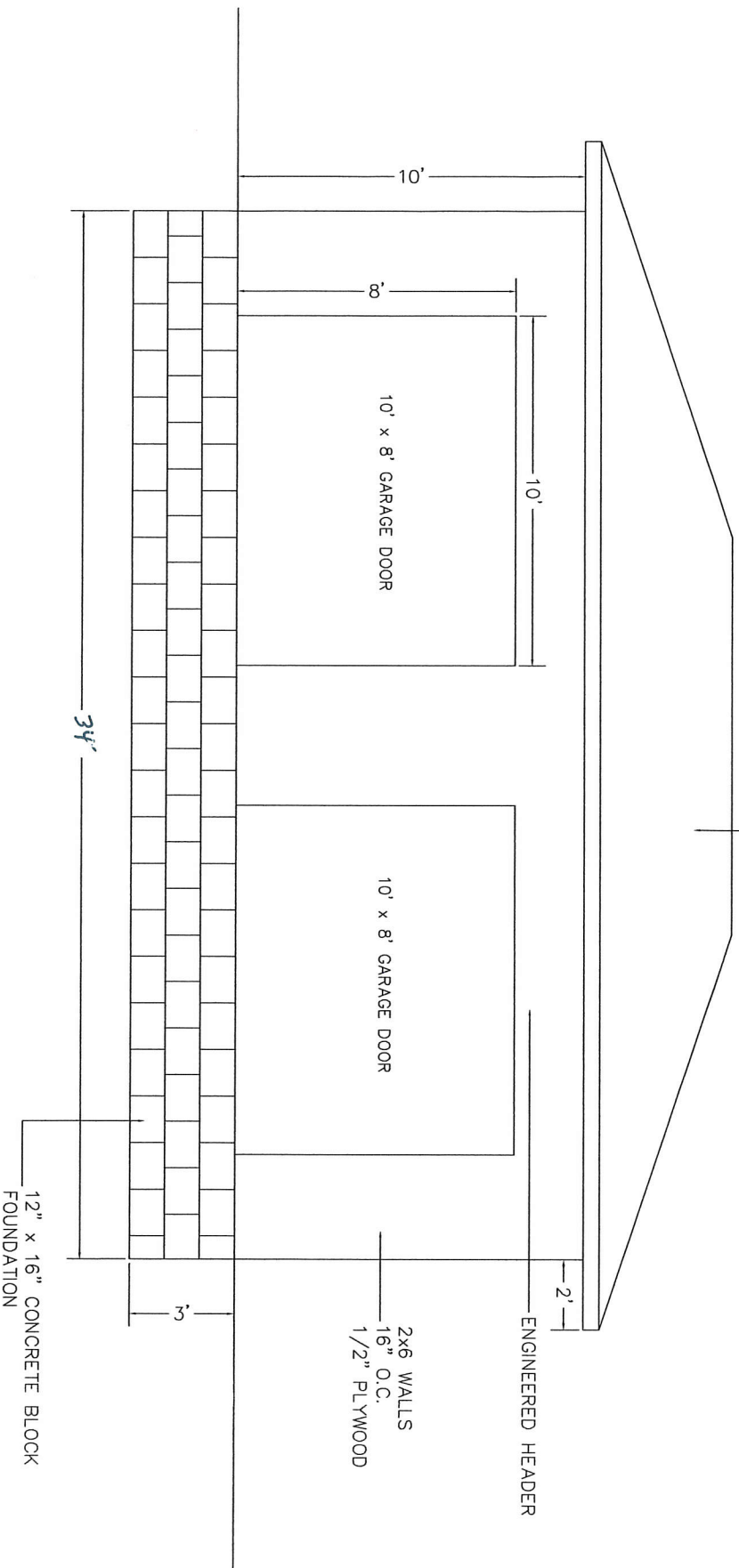
Revised Size
34 x 28 Garage
952 Square Feet



MN BC #592459

JOB NAME: RAUSCHNOT
ADDRESS: 6751 CAHILL AVE INVER GROVE HEIGHTS
DRAWN BY: MIKE RUDH
DATE: 9-16-17

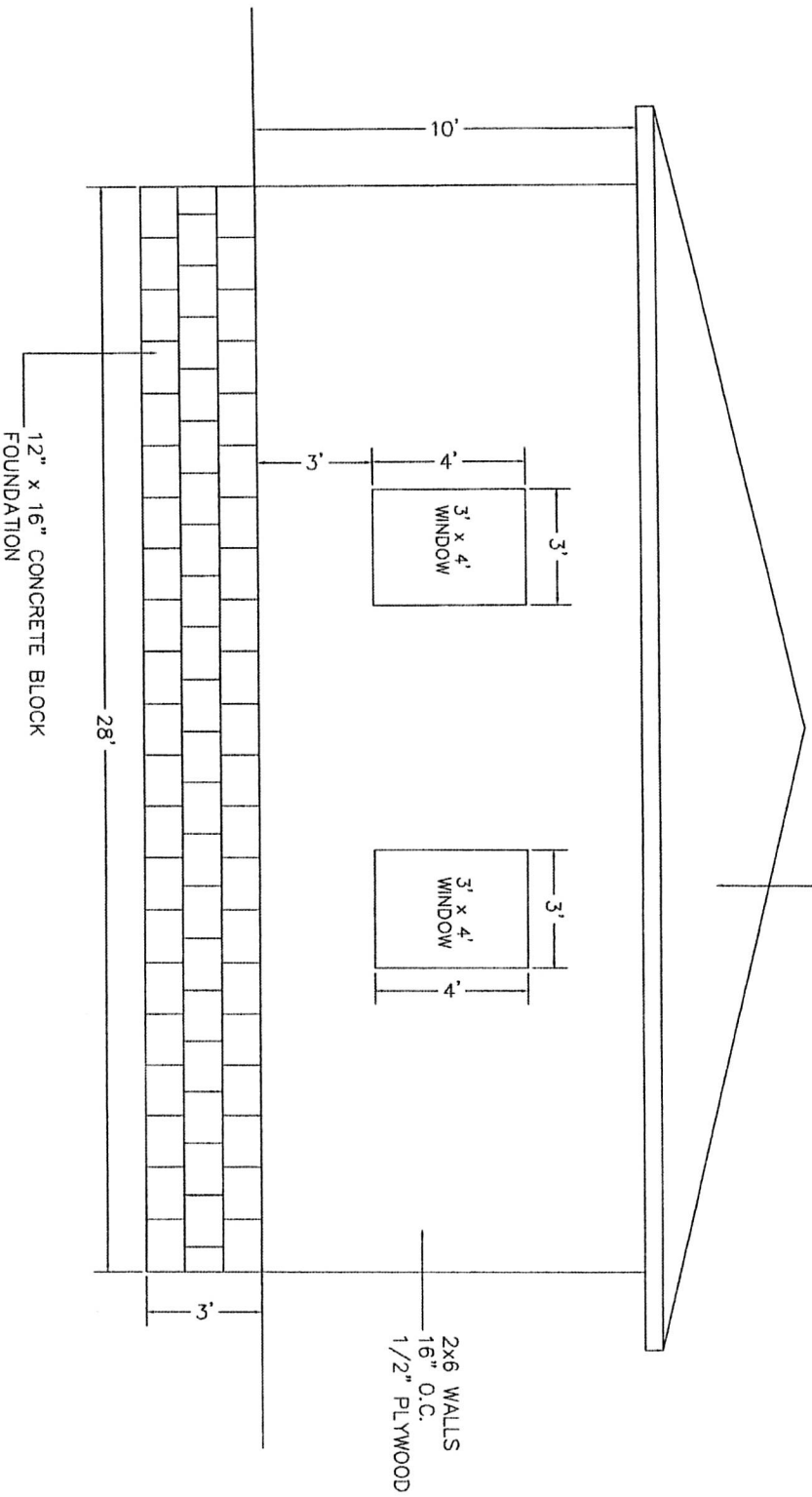
4/12 HIP ROOF
TRUSS PACKAGE
1/2" PLYWOOD
ASPHALT SHINGLES



MN BC #592459

JOB NAME: RAUSCHNOT
ADDRESS: 6751 CAHILL AVE INVER GROVE HEIGHTS
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4/12 HIP ROOF
TRUSS PACKAGE
1/2" PLYWOOD
ASPHALT SHINGLES



MN BC #592459

JOB NAME: RAUSCHNOT
ADDRESS: 6751 CAHILL AVE INVER GROVE HEIGHTS
DRAWN BY: MIKE RUDH
DATE: 9-16-17

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 12, 2017

CASE NO: 17-48PUD

APPLICANT: CalAtlantic Group, Inc.

REQUEST: Final Plat and Final PUD Development Approval for Blackstone Vista 3rd Addition (Blackstone Highlands)

MEETING DATE: October 17, 2017

LOCATION: 71st Street, south of 70th Street and east of Blackstone Vista

COMPREHENSIVE PLAN: LDR-NWAPUD

ZONING: R-1C/PUD

REVIEWING DIVISIONS: Planning
Engineering
Park and Recreation
Fire Marshall

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

CalAtlantic has submitted the final plat and final development plan for the development that was known as Blackstone Highlands during preliminary approval. The project will be considered a 3rd phase of Blackstone Vista. Blackstone Vista 3rd Addition consists of 40 single family homes plus 3 outlots.

The City Council approved the preliminary plat and development plans for Blackstone Highlands on January 25th, 2016 with 17 conditions.

EVALUATION OF THE REQUEST

The final plan review is limited to a review of the plans against the preliminary plat conditions of approval for compliance. The review will address each of the 17 conditions. A copy of the resolution approving the preliminary plans, including the conditions is attached.

Condition #1 relating to consistency with preliminary plans. The submitted final plans are consistent with the preliminary plans approved by Council. The following provides some additional detail on some of the individual approved plans:

Final Plat. The lot layout is the same as the preliminary plat. Outlots A and B are being created for storm water purposes. Outlot C is for future development.

Site Plan. The site plan is consistent with the preliminary plans. The lot configuration and design in the final plat are the same as the preliminary site plan.

Open Space Plan. The open space plan is consistent with the preliminary plan. Council approved flexibility to allow all the open space to be disturbed.

Landscape Plan and Tree Inventory. The submitted final plans provide an additional 14 overstory trees. The location and species are consistent with the preliminary plans.

Condition #2 relating to approval of the final grading, drainage and erosion control plans. The City Engineer has indicated the plans have addressed comments from engineering and the city's consultants. Overall, there are some minor issues yet to be resolved, but the review is down to final comment. This condition has been satisfied.

Condition #3 relating to drainage and utility easements provided on the plat. The plat provides for easements over all of Outlots A and B and all needed perimeter easements. This condition has been satisfied.

Condition #4 relating to ownership of natural area/open space. All of the open space is contained within Outlots A and B which will be owned by the City. There will still be conservation easements over the outlots for future reference on maintenance.

Condition #5 relating to boundaries of open space with marker posts. Engineering has created a post and sign template for developers to use to mark the open space boundary. The final location of the posts will be approved by Engineering and will be field inspected.

Condition #6 relating to park dedication. Park dedication will consist of a cash payment of \$2,850 per lot. With the 3rd Addition consisting of 40 lots, cash park dedication will equal \$114,000.

Condition #7 relating to plans reviewed by the Fire Marshall. The Fire Marshall did not provide any comments that needed to be addressed in the final plans.

Condition #8 relating to storm water facilities maintenance agreement and responsibilities. The developer will be required to enter into a maintenance agreement with the City for all of the storm water features. The details of the agreement will be addressed during the development contract meeting which is currently in progress. The City Engineer is involved in the drafting of the agreements to insure all of the design elements of the Northwest Storm Water Manual are incorporated into the maintenance agreement. The City Council will review and take action on the maintenance agreement with the development contract.

Condition #9 and #10 relating to payment of plat utility fees. The City Council adopted a resolution with the preliminary plat that addressed any credits still existing with the original three part Blackstone project and payment of fees for Blackstone Highlands. The developer shall pay an amount of \$44,802 to cover the cost of shortages in approved densities. All plat and building permit connection fees are required for the area and 40 units in the plat.

Condition #11 relating to acknowledgment of future city approvals. This condition was drafted by the City Attorney to clarify in all developments in the Northwest Area what changes require administrative or Council review. This language will be carried over into the development contract.

Condition # 12 relating to acknowledgement of PUD zoning. This condition was drafted by the City Attorney to indicate an acknowledgement will be recorded with the County for each development indicating the zoning and regulations placed on the property. It puts on record for any future land owners that there are special regulations on the property. This same type of notification was used in Arbor Pointe.

Condition #13 relating to entering into a development contract. This process has begun. A development contract will be drafted and reviewed by the City Council during their review of the final plan set.

Condition #14 relating to recording of documents. A standard condition notifying all parties of what documents must be recorded with the final plat. The City Attorney's office will work with the developer and city staff to insure all documents are recorded.

Condition #15 relating to addressing comments from City Engineer and Consultants. The City Engineer has noted that the final plans address the comments from the consultants and from city comments. This condition has been satisfied.

Condition #16 relating to street lighting. The applicant has provided a street lighting plan which shows lights at street intersections and at end of cul-de-sac. Lights are installed by the developer and lighting costs are eventually charged to the individual lots. This condition has been satisfied.

Condition #17 relating to trail segment through Outlot C. The preliminary plan showed a trail segment along the north side of Outlot A and Lot 1, Block 1. A condition was included that this segment should continue through Outlot C. After further review and noting amount of grading needed to construct the storm pond in the outlot, there was no room to construct a trail. Staff determined that this segment was duplicative and was only a short distance from the sidewalk that will be constructed on the north side of 71st Street. This segment will be constructed as an eight-foot-wide bituminous trail instead of concrete, to show the continuation of the trail system. The trail will be constructed all the way to the east side of the plat.

ALTERNATIVES

A. Approval. Approval of the Final PUD Development Plans for Blackstone Vista 3rd Addition subject to the following conditions:

1. The project shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below:

Preliminary PUD conditions of approval and site plat
Final Plat of 3rd Addition

Site Plan	dated 10/6/17
Grading & Erosion Control Plan (2 sheets)	dated 10/6/17
Street Plan (3 sheets)	dated 10/6/17
Sign and Lighting Plan	dated 10/6/17
Sanitary and Watermain Plan (3 sheets)	dated 10/6/17
Storm Sewer Plan (4 sheets)	dated 10/6/17
Open Space Plan	dated 9/15/17
Landscape Plan	dated 8/15/17

2. Prior to any work commencing on the site, the developer shall enter into a development contract with the City. The development contract will address all other preliminary conditions of approval relating to other agreements required, park dedication, and other pertinent specific performance standards for this phase of the PUD.

B. Denial. If the Planning Commission does not find the application to be acceptable, a recommendation of denial should be made. Specific findings supporting a basis for denial must be stated by the Commission if such a recommendation is made.

RECOMMENDATION

Based on this review, the Planning Division and Engineering recommends approval of the final plat and PUD development plans for Blackstone Vista 3rd Addition subject to the conditions stated above.

ATTACHMENTS:

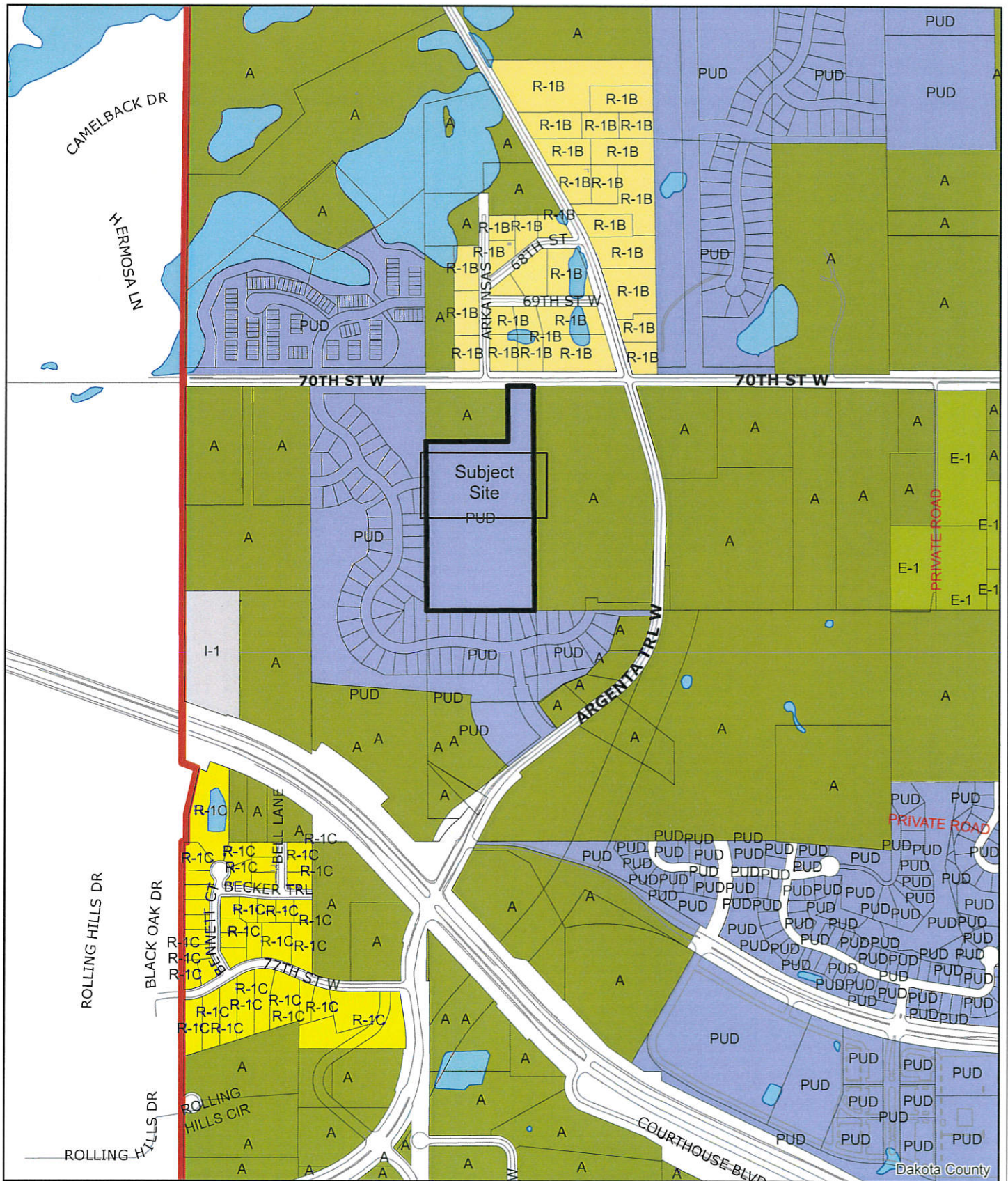
Site Location Map
Applicant Narrative
Preliminary PUD conditions of approval and site plan
Preliminary Plat
Final Plat 3rd Addition
Site Plan

Grading & Erosion Control Plan
Open Space Plan
Landscape Plan



Location Map

Case No. 17-48PUD





continuing the legacies of Ryland and Standard Pacific

Twin Cities
7599 Anagram Drive
Eden Prairie, MN 55344

952-229-6000 Tel

www.calatlantichomes.com

FINAL PLANNED UNIT DEVELOPMENT AND FINAL PLAT REQUEST SUBMITTAL NARRATIVE

**BLACKSTONE HIGHLANDS
Inver Grove Heights, Minnesota
September 18, 2017**

DEVELOPMENT TEAM

Developer:	CalAtlantic Homes, Tracey Rust
Civil Engineer/Surveyor	Pioneer Engineering, John Molinaro
Owner:	PeterAndrea Investments, LLC, Jim Deanovic

SITE INFORMATION

PID: 20-00700-26-012

RESOLUTION

Preliminary Plat and Preliminary PUD Development Plan Resolution No. 16-10 was approved January 25, 2016.

DEVELOPMENT SUMMARY

The proposed Final Plat and Final PUD are consistent with the approved Preliminary Plat and Preliminary PUD consisting of 40 single family home lots. The proposed development will be a continuation of the existing Blackstone Vista development therefore the Final Plat has been submitted as Blackstone Vista 3rd Addition.

The same floor plans will be offered in this continuation that is currently being offered in Blackstone Vista.

CalAtlantic and the consultants have been working closely with City staff on the stormwater, streets and utility design to ensure design requirements have been met. The development will connect to 71st Street West from Blackstone Vista and extend it to the

east. Both 71st Street West and 73rd Street West will be stubbed for future connection along with necessary public utilities. Stormwater basins are located throughout the development for the necessary stormwater treatment before ultimately outletting to the Regional basin located directly northwest of the site.

Due to the development being a continuation of Blackstone Vista, a separate monument is not proposed for these 40 lots.

TIMING / PHASING

Should the City approve the Final Plat and Final PUD by the end of 2017, it is CalAtlantic's desire to construct the site improvements during 2018 summer and fall months with an anticipated sales start in early 2019. The development will be constructed in a single phase.

CONCLUSION

CalAtlantic Homes respectfully concludes that the request is consistent with the approved Preliminary Plat and PUD and believes this will be a great continuation of the Blackstone Vista development.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-10

A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD DEVELOPMENT PLAN CONSISTING OF 40 SINGLE FAMILY LOTS AND THREE (3) OUTLOTS FOR THE PLANNED DEVELOPMENT TO BE KNOWN AS BLACKSTONE HIGHLANDS

CASE NO. 15-38PUD

WHEREAS, a preliminary plat and preliminary PUD development plan application has been submitted to the City for property legally described as;

The West 620.15 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ in Section 7, Township 27, Range 22, EXCEPT the West 471 feet of the North 350 feet thereof, Dakota County, Minnesota

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on January 5th, 2016;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat and Preliminary PUD development plan for the planned development of Blackstone Highlands is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	12/28/15
Preliminary Site Plan/Open Space Plan	12/28/15
Sign and Lighting Plan	6/22/15
Preliminary Street Plan (4 sheets)	6/22/15
Preliminary Sanitary and Watermain Plan (9 sheets)	6/22/15
Preliminary Grading Plan	6/22/15
Preliminary Erosion Control Plan	6/22/15
Preliminary Tree Survey	12/28/15

Preliminary Landscape Plan

12/29/15

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space shall be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All plans shall be subject to the review and approval of the Fire Marshal.
8. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
9. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
10. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing. Final details of the amounts to be paid shall be part of the final PUD plan review.
11. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department

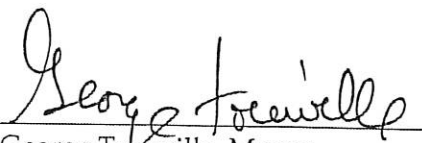
Location of Conservation Easement and Open Space	City Council
---	--------------

12. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
13. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
14. The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Acknowledgement of PUD Zoning.
15. Prior to City Council review of the final PUD development plans, the Developer must respond to all of the comments of the City Engineer memo dated 12-15-15, Barr Engineering memo dated 12-16-15 and Kimley-Horn memo dated 12-14-15.
16. Street lighting shall be required along all public streets. The street lighting plans shall be approved by the City prior to installation.
17. A trail segment shall be required through Outlot C to provide a continuation of the trail link to the regional trail in Blackstone Vista.

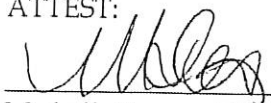
Passed this 25th day of January, 2016.

AYES: 5

NAYS: 0


George Tourville, Mayor

ATTEST:


Michelle Tesser, City Clerk

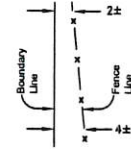
DESCRIPTION OF PROPERTY

The West 620.16 feet of the NE 1/4 of the NW 1/4 of Section 7, Township 27, Range 22, excepting therefrom the North 350 feet of the West 471.0 feet thereof, Dakota County, Minnesota.

Site Address: Unassigned, Inver Grove Heights, Minnesota

Parcel Area Information: Gross Area: 654,577 s.f. = 15.027 acres
R/W Area: 4,922 s.f. = 0.113 acres
Wet Area: 0 s.f. = 0.000 acres
Net Area: 649,655 s.f. = 14.914 acres

Site Elevation: Elevations are based on the Found Aluminum Disk located west of the site, as shown hereon, having an elevation of 896.19 Feet (NAVD 1988).



Fence ties are shown on the side of the boundary line that the fence is located on.



40 SINGLE FAMILY LOTS

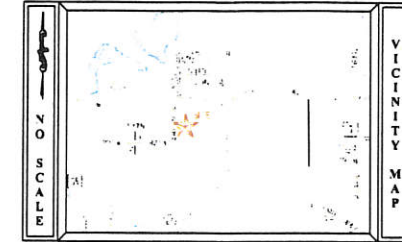
LOT STANDARDS

65' WIDE SINGLE FAMILY
MIN. FRONT YARD SETBACK = 20'
MIN. SIDE YARD SETBACK = 5, 10'
MIN. SIDE YARD CORNER SETBACK = 20'
MIN. REAR YARD SETBACK = 30'

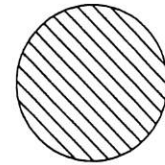
RIGHT OF WAY - 60 feet

EXISTING ZONING: Medium Density (6 to 12 Units per acre)

PROPOSED ZONING: PUD



PREPARED BY		PREPARED FOR	
SURVEYOR	SATHRE-BERGQUIST, INC.	DEVELOPER	JIM DEANOVIC
150 SOUTH BROADWAY	WAYZATA, MINNESOTA 55391	1116 MIRROR LAKES DRIVE	EDINA, MN 55436
PHONE: (952) 476-8000		FAX: (952) 476-0104	
CONTACT: DANIEL L. SCHMIDT, P.E.		EMAIL: SCHMIDT@SATHRE.COM	

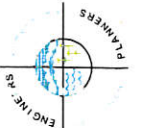


DENOTES TEMP CUL-DE-SAC EASEMENT



BLACKSTONE HIGHLANDS
PRELIMINARY PLAT

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN 55391 (952) 476-6000



TWP.027 - RGE.22 - SEC.07

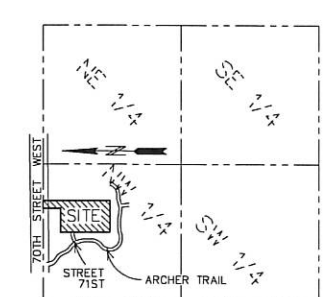
Project City: Inver Grove Heights

Dakota County

FILE NO.: 1920-015

Sheet 1 of 1

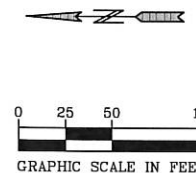
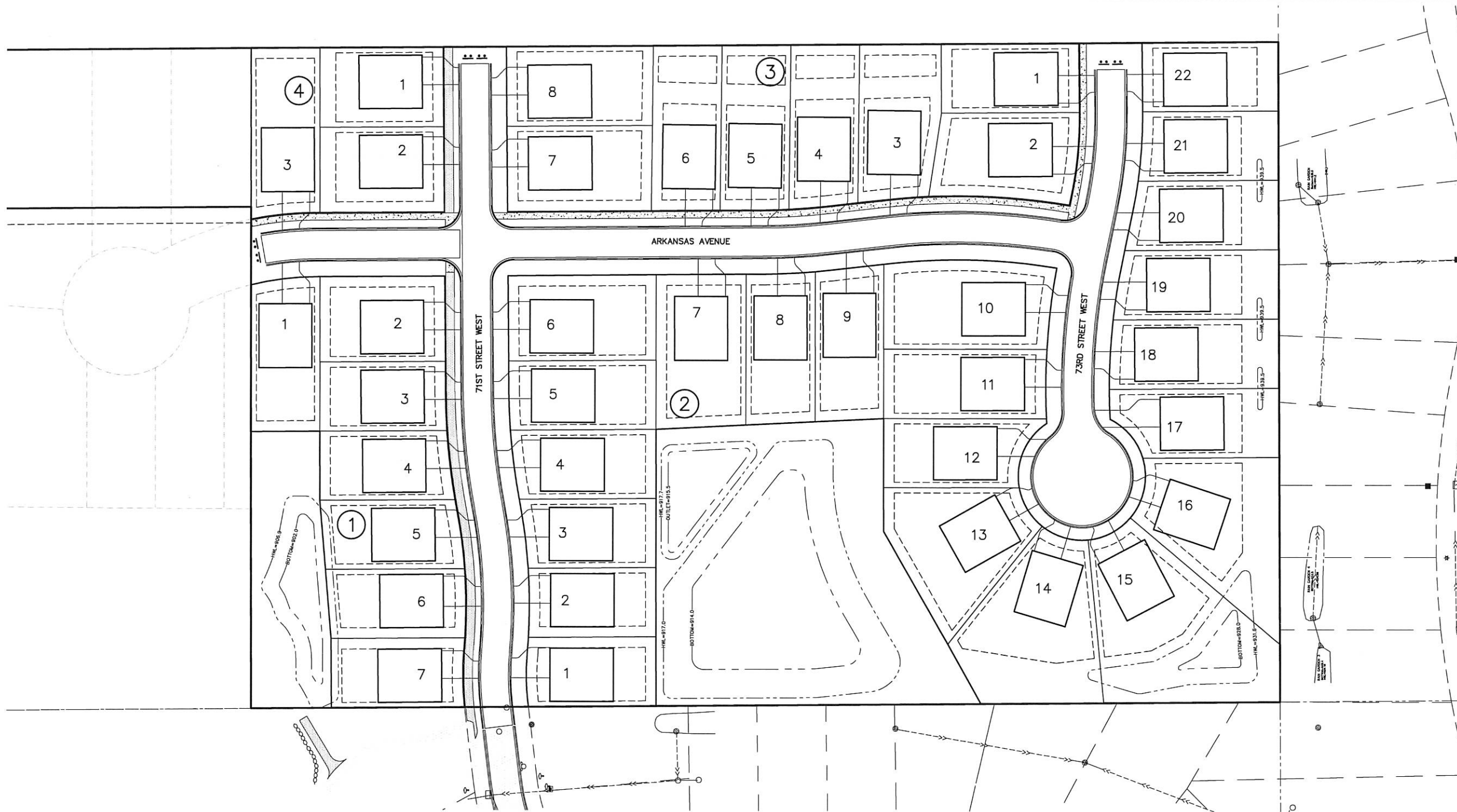
CONFIDENTIAL



SECTION 7, TWP. 27,
RGE. 22

LOCATION MAP
NO SCALE

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS



SITE STANDARDS
 DATE: 10-4-17
 65' WIDE SINGLE FAMILY (FLEXIBLE W/PUD)
 MIN. FRONT YARD SETBACK: 20'
 MIN. SIDE YARD SETBACK: 10', 5'
 MIN. SIDE YARD SETBACK-CORNER LOT: 20'
 MIN. REAR YARD SETBACK: 30'

HARDCOVER CALCULATION
 DATE: 10-5-17
 NET AREA: 13.8285 ACRES
 LOT NUMBER: 40
 MAXIMUM ALLOWABLE HARDCOVER (33.84%): 4.68 ACRES
 (* PER STORMWATER DESIGN & PUD AGREEMENT)

HARDCOVER BREAKDOWN

AREA:	FT ²	ACRES:
STREET	81,645	1.4151
TRAIL	4,549	0.1044
SIDEWALK	5,526	0.1269
TOTAL REMAINING:	132,842	3.0496
REMAINING PER LOT:	3,304	0.0759



BENCH MARK
 TNH SOUTH OF ARKANSAS AVE,
 APPROX. 450 FT EAST OF 71ST ST W
 ELEV=958.60

01-ENG-116187-SITE-SHEET-SITE

PIONEERengineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Name: John M. Molinaro
 Reg. No.: 45831 Date: 9-15-2017

Revisions
 1. 10-6-17 City Comments

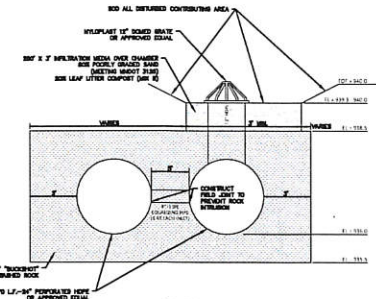
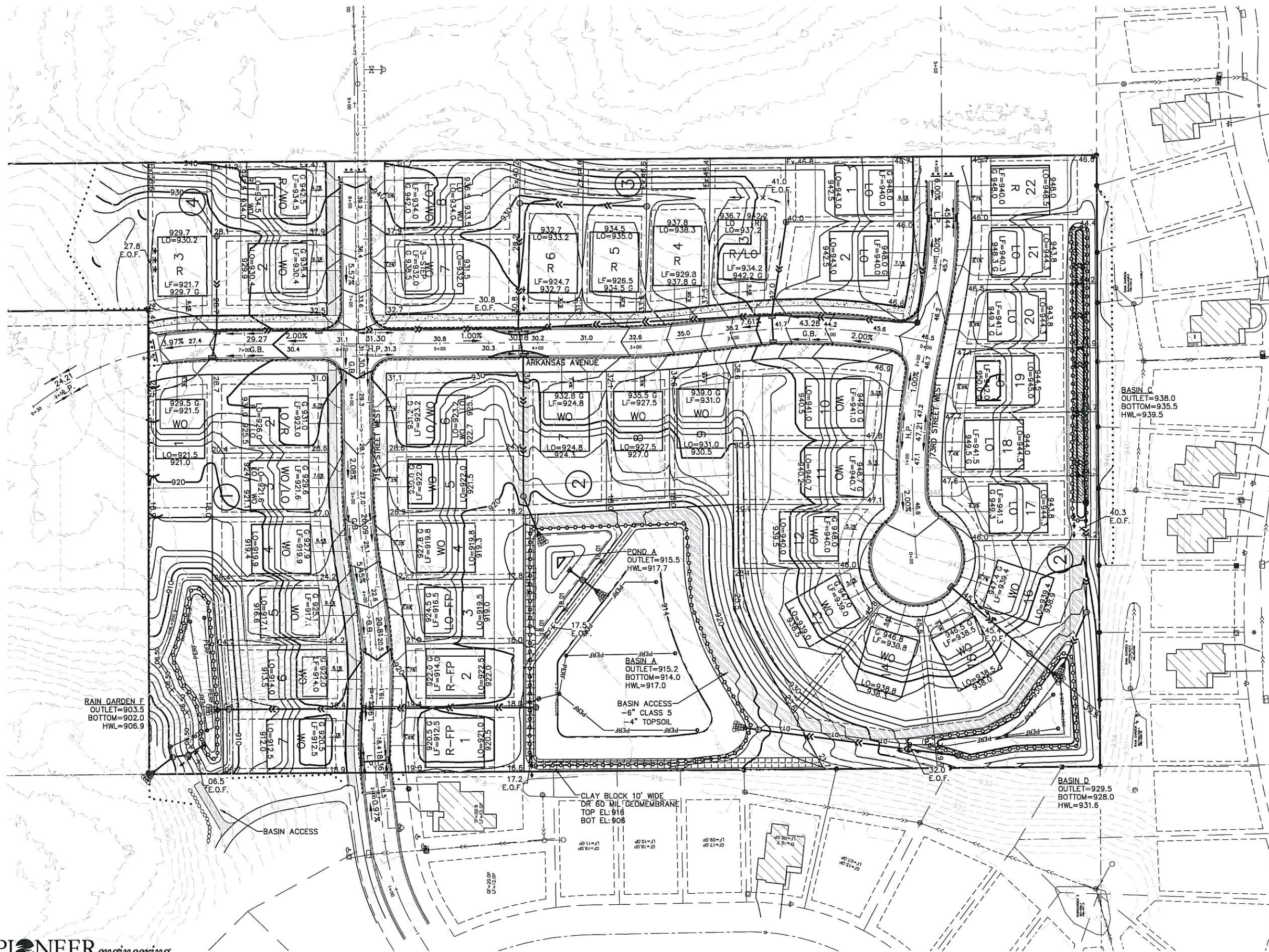
Date: 9-15-17
 Designed: JMM
 Drawn: MM

SITE PLAN

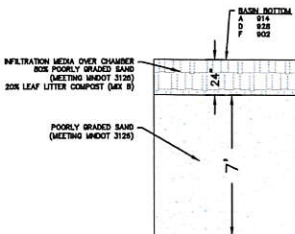
CALATLANTIC HOMES
 7599 ANAGRAM DRIVE
 EDEN PRAIRIE MN 55344

BLACKSTONE VISTA 3RD ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

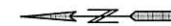
1 OF 1



BASIN C
INFILTRATION CHAMBER DETAIL

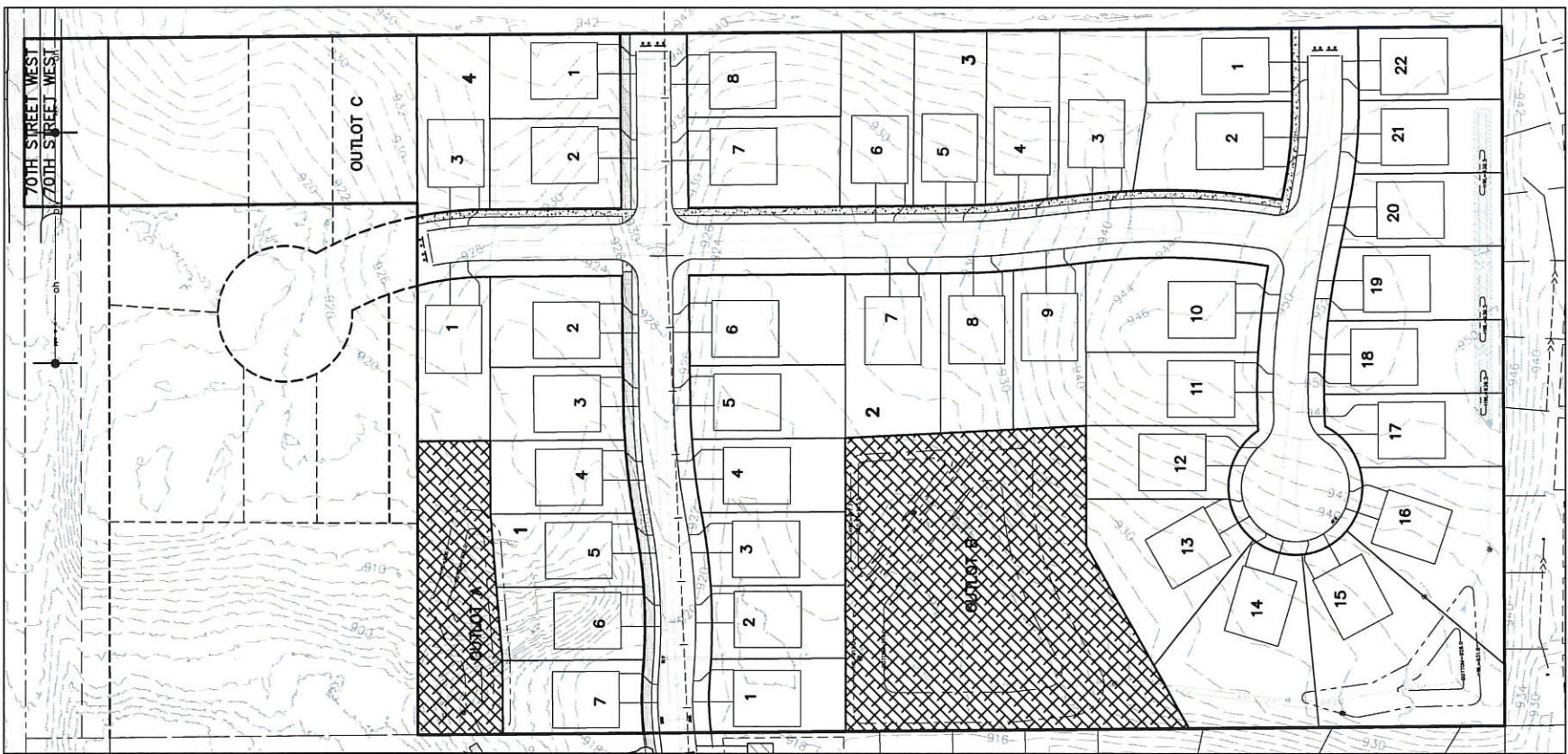


BASIN A, D, & F
INFILTRATION CHAMBER DETAIL



Know what's below.
Call before you dig.

GROSS OPEN SPACE



OPEN SPACE DATA:

GROSS DEVELOPMENT AREA: 15.02 ACRES
-OUTLOT C: 0.94 ACRES
-70TH STREET W ROW: 0.26 ACRES
NET DEVELOPMENT AREA: 13.83 ACRES

OPEN SPACE REQUIREMENT:

GROSS OPEN SPACE: 20% X 13.83 = 2.76 ACRES
CONTIGUOUS OPEN SPACE (MIN. 100' WIDE): 75% X 2.76 = 2.07 ACRES
UNDISTURBED OPEN SPACE: 50% X 2.76 = 1.38 ACRES

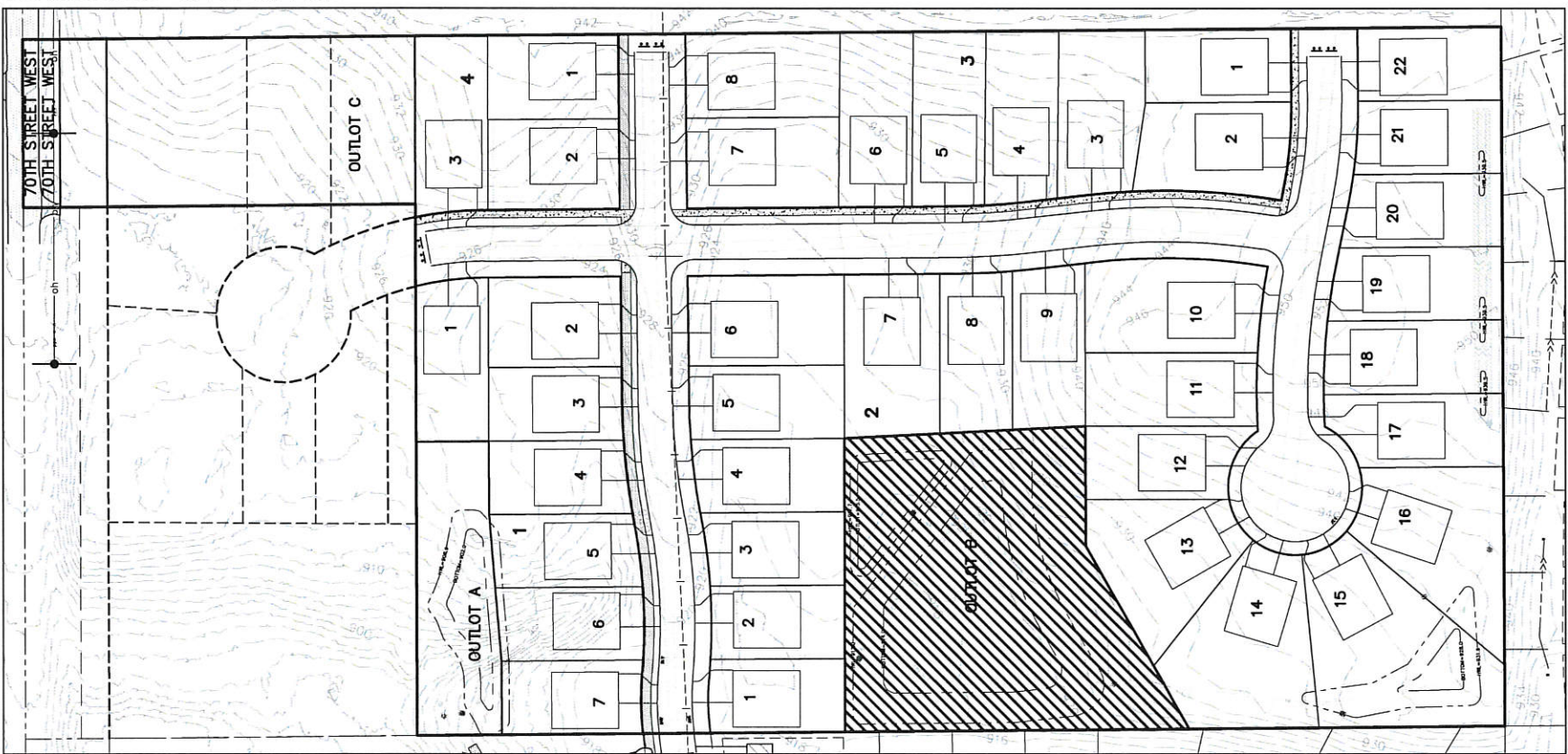
PROPOSED OPEN SPACE:

GROSS OPEN SPACE: 1.90 ACRES
CONTIGUOUS OPEN SPACE: 1.48 ACRES
UNDISTURBED OPEN SPACE: 0.0 ACRES

NOTE:

IT IS ANTICIPATED THAT OUTLOT C WILL BE COMBINED WITH THE WOODED WESTERN PORTION OF THE HUYSENTRUIT PROPERTY TO BECOME CONTINUOUS OPEN SPACE.

CONTIGUOUS OPEN SPACE



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I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Name: Jennifer L. Thompson
Reg. No.: 44763
Date:

Revisions:
1. 10-6-17 City Comments

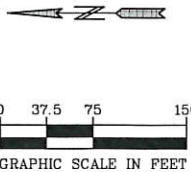
Date: 9-15-17
Designed: TML
Drawn: TML

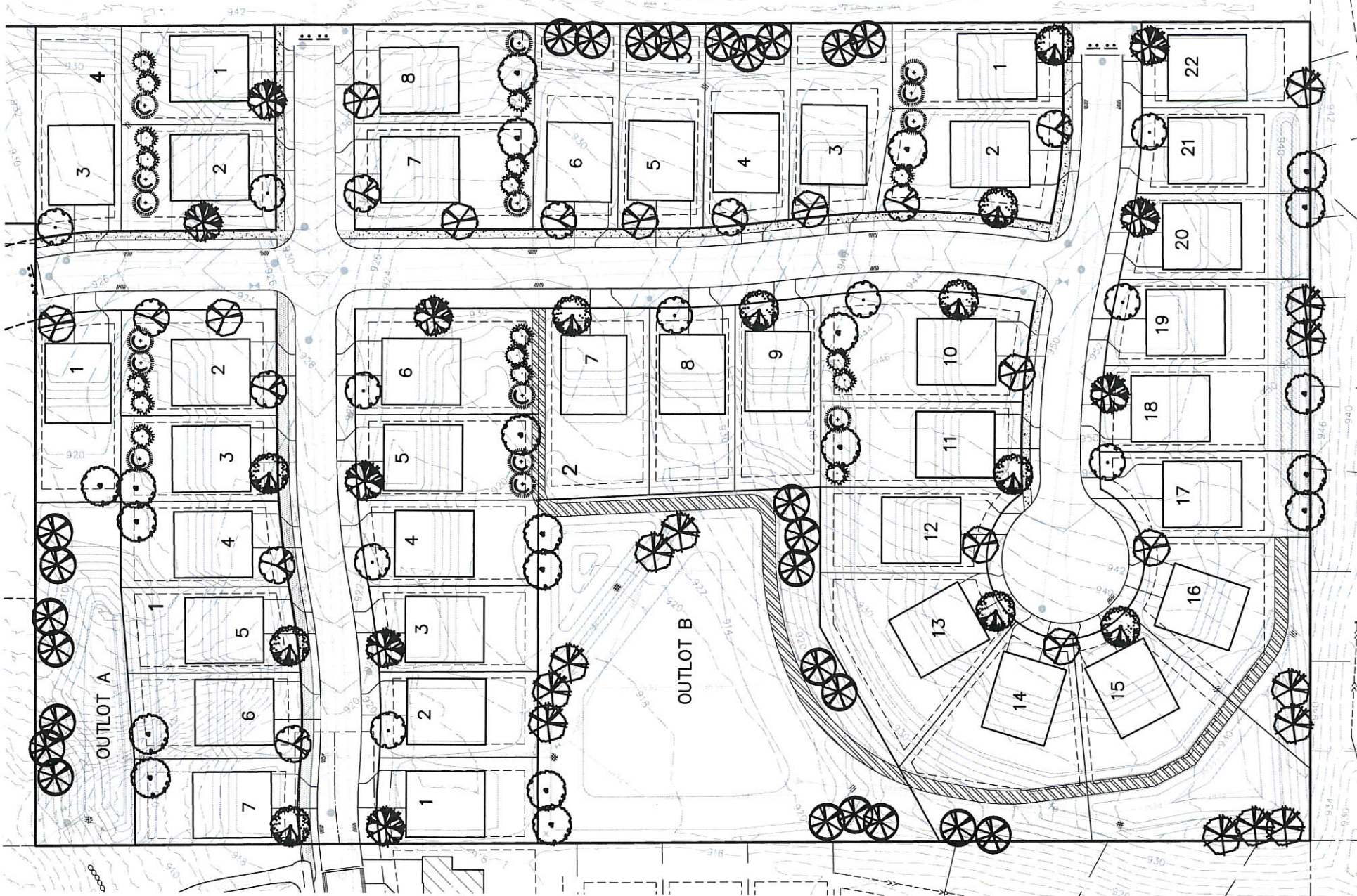
OPEN SPACE PLAN

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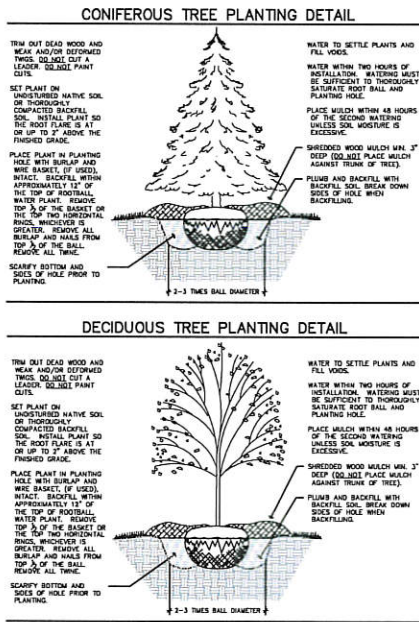
01 OF 1





PLANTING SCHEDULE				
KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY	SPECIAL INSTRUCTIONS
OVERSTORY TREES				
	AUTUMN BLAZE MAPLE/ACER X FREEMANII	2.5" B&B	11	
	HACKBERRY/CELTIS OCCIDENTALIS	2.5" B&B	10	
	SENTRY LINDEN/TILIA AMERICANA 'SENTRY'	2.5" B&B	9	
	RED OAK/QUERCUS RUBRA	2.5" B&B	9	
	THORNLESS HONEYLOCUST/GLEDITSIA TRACANTHOS VAR INEMIS	2.5" B&B	10	
	RIVER BIRCH/BETULA NIGRA (CLUMP)	6' B&B	20	COUNT AS A 2.5" TREE
	SWAMP WHITE OAK/QUERCUS BICOLOR	2.5" B&B	13	
	QUAKING ASPEN/POPULUS TREMULOIDES	2.5" B&B	26	
EVERGREEN TREES				
	BLACK HILLS SPRUCE/PICEA GLAUCA DENSATA	10' B&B	17	COUNT AS A 4.5" TREE
	AUSTRIAN PINE/PINUS NIGRA	10' B&B	15	COUNT AS A 4.5" TREE
			140 TREES	

MITIGATION REQUIREMENT
TOTAL INCHES TO BE MITIGATED = 413"
PROPOSED MITIGATION = 414"



- LANDSCAPE NOTES**
- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
 - THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH CONFER STATE ONE CALL 1-800-325-1188 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
 - GRADING TO BE PERFORMED BY OTHERS.
 - NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE LANDSCAPE AREA.
 - ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOLLOED IN THE AMERICAN ASSOCIATION OF NURSERMEN-AMERICAN STANDARD FOR NURSERY STOCK.
 - ALL CONTAINER MATERIAL TO BE GROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
 - DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STABILITY TO A WIND SPEED OF 80 M.P.H.
 - THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE TIME REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
 - THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
 - IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLANT SCHEDULE.
 - COMMERCIAL GRADE POLY LAMN EDDING SHALL BE INSTALLED WHERE NOTED.
 - THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
 - THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNSTAINED. ALL PEDESTRIAN AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WATERS SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS CONCERNING THE WORK.
 - STORAGE OF MATERIALS ON SUPPLIES ON-SITE WILL NOT BE ALLOWED.