

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

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

Chair Maggi called the Planning Commission meeting to order at 8:00 p.m.

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

Commissioners Absent: Elizabeth Niemioja (excused)

Others Present: Tom Link, Community Development Director
 Allan Hunting, City Planner
 Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the October 3 and 17, 2017 Planning Commission meetings were approved as submitted.

DAWNWAY LANDFILL – CASE NO. 17-35NCUC

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a non-conforming use certificate amendment to allow for a 15-year time extension for the demolition landfill located at 5965 Dawn Way. 36 notices were mailed.

Chair Maggi advised that the discussion regarding this request will be postponed to the November 21, 2017 Planning Commission meeting.

ALLAN & LLONI BEBEL – CASE NO. 17-54S

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a two-lot subdivision to be known as Lloni's 2nd Addition, for the property located at 8843 Alverno Avenue. 43 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 E-1, Estate Residential. The applicant is requesting to subdivide the 5.8-acre property into two lots; Lot 1 would be 3.3 acres in size and Lot 2 would be 2.5 acres in size. The City recently approved a variance from the minimum lot width requirements for both lots. The applicants are proposing to build on Lot 1 and use the existing access point. Lot 2 would have a separate access. Staff recommends approval of the request and have not heard from any abutting property owners.

Opening of Public Hearing

Lloni Bebel, 3852 North Ridge Drive, Eagan, advised she was available to answer any questions.

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

Ms. Bebel replied in the affirmative.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Lissarrague, to approve the request for a preliminary and final plat for a two-lot subdivision to be known as Lloni's 2nd Addition, for the property located at 8843 Alverno Avenue, with the conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on November 13, 2017.

DIANE KNUCKEY – CASE NO. 17-55V

Commissioner Simon read the public hearing notice to consider the request for a variance from the front yard parking requirements to allow parking on grass whereas a hard surface is required, for the property located at 6399 Cahill Avenue. 5 notices were required.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that in 2014 Council adopted an ordinance which allows vehicle parking in the front yard; however, they must be on a hard surface just off the driveway. The subject property is zoned B-3, General Business, but is being used residentially. The property has some unique characteristics in that the garage is in the back of the property, and the back side of the lot is lower than the front. Because of this the most immediate access is via the lower level of the house, where typically the entry point would be to the main level. Staff believes that parking on the grass in the front yard has an impact on the essential character of a neighborhood and they are recommending denial.

Chair Maggi asked if variances stayed with the property for an indefinite amount of time regardless of the ownership.

Mr. Hunting replied in the affirmative.

Opening of Public Hearing

Diane Knuckey, 6399 Cahill Avenue, advised she was available to answer any questions.

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

Ms. Knuckey replied in the affirmative. She advised that the reason they are parking by the front entrance is because she and her husband are partially handicapped, and it is difficult for them to enter from the back and walk up a flight of stairs to get to the main level.

Commissioner Weber noted that the driveway was on a separate parcel as the house and asked the applicant if she owned the strip of land where the driveway was currently located.

Ms. Knuckey replied in the affirmative, stating she and her children were joint owners of that parcel.

Commissioner Lissarrague asked how the applicant handled parking in the winter.

Ms. Knuckey replied that they hire someone to plow the front lawn and they continue to park there. She asked if paving the front parking area would resolve the issue.

Mr. Hunting replied in the affirmative, stating the applicant would comply with the ordinance requirements if they installed a hard surface driveway with a parking pad off it.

Ms. Knuckey asked if they could have some additional time to install the driveway as they could not install it in the winter.

Mr. Hunting replied in the affirmative, stating vehicles are allowed to be parked on grass in the front yard during the winter parking ban.

Ms. Knuckey stated that was agreeable and would allow them time to save money to pay for it.

Commissioner Simon asked if the variance would still be needed if they intended on paving the parking area.

Mr. Hunting replied that if the applicant planned to pave the driveway and parking area in the spring they would not need the variance and could continue to park in the front yard during the winter parking ban.

Chair Maggi asked if the applicant should verbally withdraw the variance request.

Mr. Hunting replied in the affirmative.

Commissioner Scales asked if this request was the result of a complaint.

Mr. Hunting replied in the affirmative.

Ms. Knuckey asked who they should contact in the spring regarding putting in a driveway.

Mr. Hunting replied they should talk to the engineering staff regarding obtaining a driveway permit.

Ms. Knuckey questioned where the parking pad would be located as there was a hill and trees between the adjoining driveway and parking area.

Mr. Hunting replied they would have to add another driveway section into the front yard which could have an adjoining parking pad on it. He added that likely the applicants could not get a contractor to install the driveway until after April 1.

Ms. Botten advised that the Planning Commission could stipulate an installation date even if they denied the variance.

Chair Maggi asked if there was such a thing as a temporary variance.

Mr. Hunting replied there was not.

Commissioner Robertson stated if the applicant were to move forward with the variance request she would not be able to support it as it would stay with the property.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Mr. Hunting stated if the applicant planned to put in a driveway he would suggest they withdraw the request. Code enforcement would then work with the applicant and draft a letter with a date of completion for the hard surface, such as July 1, 2018.

Commissioner Weber asked if Commissioners could still recommend stipulations if the applicant withdrew her request.

Mr. Hunting replied that Commissioners would no longer have control if the request was withdrawn but they could provide suggestions. He advised that the applicant could state again that she is withdrawing the request and then staff would agree to contact her and establish a date by which the driveway should be installed.

Commissioner Scales suggested they give the applicant until August 1.

Tom Link, Community Development Director, stated the City's code compliance coordinator would contact the property owners and work out a reasonable date that both parties could agree to. That would likely be restated in a letter.

Ms. Knuckey verbally withdrew her variance request as she is planning on putting in a hard surface driveway/parking area in the spring.

Chair Maggi advised the applicant that staff would contact her.

Mr. Link clarified that Ms. Knuckey no longer had to attend the City Council meeting.

KEVIN KNEISL – CASE NO. 17-52V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow an additional detached accessory building on the property, whereas one is the maximum allowed by code, for the property located at 1847 Upper 55th Street. 8 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to add a second accessory building on their property whereas only one is allowed. The property is 1.3 acres in size and zoned R-1C, Single-Family Residential. The house was built in 1950 and there currently is no attached garage. The property has one detached accessory building about 365 square feet in size and a carport attached to the home. The applicants are proposing to construct an additional 565 square foot detached accessory building. The proposed building would be difficult to see from Upper 55th Street, the closest neighboring home would be about 100 feet away, and there are trees located between the properties. The additional structure would clean up the property as some of the materials that are currently stored outside would be brought inside the building. However, staff believes the request does not satisfy the variance criteria and therefore staff recommends denial.

Commissioner Scales asked what the maximum size allowed would be for a detached structure on this lot.

Ms. Botten replied they are allowed one detached structure up to 1,000 gross square feet in size.

Opening of Public Hearing

Melissa Notch Kneisl, 1847 Upper 55th Street, advised she was available to answer any questions.

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

Ms. Kneisl replied in the affirmative. She advised they would like to build an attached structure; however, because of the topography concrete footings would be needed which are quite expensive. They are also in the process of creating a large water garden and pond in that area. She noted that they tore down a dilapidated detached structure, thereby reducing the impervious surface on the property.

Commissioner Robertson asked what the new structure would be used for.

Ms. Kneisl replied they would like to move some of the items currently stored outside into the new building. She advised they would not put a driveway in because that would put them over the maximum impervious surface allowed; therefore, they would continue to park their vehicles under the existing carport.

Commissioner Robertson questioned whether there would be enough room in the building for all the items being stored outside.

Ms. Kneisl replied that many of the vehicles were only there temporarily while her daughter was overseas teaching and until her son took his items to college with him next year. Many of the building materials would be gone as well.

Commissioner Simon questioned why they would not add onto the existing detached structure, advising it could be up to 1,000 square feet in size.

Ms. Kneisl replied it would take away from their view of the lake. She added that the runoff also flows to that area and it is subject to flooding.

Mike Zilka, 1805 Upper 55th Street, stated he lived just west of the applicant and supported the request for a new building if they were able to clean up their lot by moving items being stored outside into the building.

Unknown person in audience agreed with Mr. Zilka, stating the property was currently an eyesore because of the items being stored outside.

Planning Commission Recommendation

Commissioner Scales stated he hoped they could find a practical difficulty as he would like to support the request, especially since the two buildings would total less square footage than the 1,000 square feet allowed for one structure.

Commissioner Robertson was uncomfortable with the request as she questioned whether the proposed building would be able to hold all the items being stored outside and there was no assurance they were there temporarily.

Chair Maggi stated the challenge was finding a practical difficulty.

Commissioner Scales stated he would like to support the request but struggled to find a practical difficulty.

Commissioner Robertson stated she was not able to support the request.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Robertson, to deny the request for a variance to allow an additional detached accessory building on the property, whereas one is the maximum allowed by code, for the property located at 1847 Upper 55th Street, as it does not satisfy the variance criteria.

Motion carried (8/0). This item goes to the City Council on November 27, 2017.

LENNAR CORPORATION – CASE NO. 17-50VAC

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a vacation of existing drainage and utility easements on the property, located at Lots 2 & 3, Block 1 Windwood Addition, according to the recorded plat thereof. 6 notices were emailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the City recently approved the replat of the Windwood Addition to the Windwood 2nd Addition. The old plat consisted of two ten-acre parcels with standard perimeter drainage and utility easements. Staff is requesting that those easements be vacated. Staff advised the applicant that they need not attend tonight's meeting as this is more of a cleanup issue.

Commissioner Weber asked what a specific area was south of the previous dividing line between the two lots.

Mr. Hunting replied they were areas for the City to use to get access to the ponds for maintenance.

Opening of Public Hearing

There was no public testimony.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Scales, to approve the request for a vacation of existing drainage and utility easements on the property, located at Lots 2 & 3, Block 1 Windwood Addition, according to the recorded plat thereof.

Motion carried (8/0). This item goes to the City Council on November 13, 2017.

OTHER BUSINESS

After some discussion it was determined that the upcoming work session would take place on November 21 at 5:00 pm.

The meeting was adjourned by unanimous vote at 8:55 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary