

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

Wednesday, November 7, 2018 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

- 1. CALL TO ORDER**
- 2. APPROVAL OF PLANNING COMMISSION MINUTES FOR OCTOBER 16, 2018**
- 3. APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 SANDRA PEREZ - CASE NO. 18-58C

Consider a **conditional use permit** to allow a daycare facility to operate in the lower level of River Heights Vineyard Church located at 6070 Cahill Avenue.

Planning Commission Action _____

3.02 CITY OF INVER GROVE HEIGHTS – 2040 COMPREHENSIVE PLAN

Review and comment of the Draft 2040 Comprehensive Plan and make recommendation to the City Council to consider the plan for submission to the Metropolitan Council.

Planning Commission Action _____

- 4. 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, October 16, 2018 – 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: Brett Kramer
Armando Lissarrague
Elizabeth Niemioja
Joan Robertson
Tony Scales
Jonathan Weber
Dennis Wippermann
Pat Simon

Commissioners Absent: Annette Maggi (excused)

Others Present: Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the October 2, 2018 Planning Commission meeting were approved as submitted.

MICHAEL WISE – CASE NO. 18-56V

Reading of Notice

Commissioner Scales read the public hearing notice to consider the request for a variance to allow a fence taller than 42 inches within the front setback, for the property located at 5834 Blackberry Trail. 6 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the request is to allow the construction of a 6-foot-high fence, 23 feet from the front property line whereas 30 feet is required. City Code requires any fence within a front yard to be no higher than 42 inches. The property is a corner lot; therefore, they must comply with two front yard setbacks. The applicant is proposing an open face lattice fence, complying with the 75% clear visibility requirement. The property is unique in that the fence would be located within a wooded area and may not be visible. The property also has a larger than average right-of-way between the edge of the road and property line, making the location of the fence over 40 feet from the edge of the road. Staff believes a practical difficulty can be found in the fact that they are on a corner lot with two setback requirements, the visibility from the road would not be impacted, and the fact that there is a larger than average right-of-way. Staff recommends approval of the request with the condition listed in the report. Staff did not hear from any of the abutting property owners.

Opening of Public Hearing

Kenton Miller, 5824 Blackberry Trail, advised he was an abutting neighbor and supported the request.

Patti Simons, 134 – 13th Avenue S, South St. Paul, advised she represented the contractor and was available to answer any questions.

Commissioner Scales asked Ms. Simons if she read and understood the report.

Ms. Simons replied in the affirmative. She advised that the reason for the fence was to deter deer

foot traffic.

Commissioner Scales closed the public hearing.

Planning Commission Discussion

Commissioner Robertson asked if it was common for the contractor to present the request rather than the property owner.

Ms. Botten replied in the affirmative.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Lissarrague, to approve the request for a variance to allow a fence taller than 42 inches within the front setback, for the property located at 5834 Blackberry Trail, with the condition of approval and practical difficulty as listed in the report.

Motion carried (8/0). This item goes to the City Council on October 22, 2018.

Mr. Miller asked what the one condition was.

Commissioner Weber read the condition of approval from the report.

OTHER BUSINESS

Ms. Botten reminded Commissioners that the City and Planning Commission will be holding an open house and public hearing for the 2040 Comprehensive Plan on November 7. The open house will be held from 5:45–6:45 pm in Council Chambers, with the public hearing following at the 7:00 Planning Commission meeting. Commissioners are encouraged to attend the open house prior to the meeting. The meetings will be advertised on the City website, Facebook, and Twitter.

The meeting was unanimously adjourned at 7:12 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

HEARING DATE: November 7, 2018 **CASE NO.:** 18-58C

APPLICANT: Sandra Perez

REQUEST: Conditional Use Permit to allow a daycare facility to be operated out of the lower level of River Heights Vineyard Church

LOCATION: 6070 Cahill Avenue

COMP PLAN: P, Public/Institutional

ZONING: P, Institutional

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner

BACKGROUND

Sandra Perez has submitted a request for a conditional use permit to operate a daycare facility in the lower level of River Heights Vineyard Church. The daycare will operate from 6:30 a.m. to 6:00 p.m., Monday – Friday. This is an allowed use in the Institutional zoning district with a conditional use permit and a license from the state. The applicant currently operates Mi Familia Child Care Center in Inver Grove Heights and is looking to add another location in the City. The applicant has been working closely with the Church to offer a partnership that would benefit the community by offering a service that is needed in the area.

The daycare will provide child care for preschool age children and will occupy the lower level of the new church addition. There are no changes or additions proposed to the exterior of the building or property. There is not a playground area proposed at this time.

SPECIFIC REQUEST

Approval of a Conditional Use Permit to allow a daycare facility to be operated out of the lower level of River Heights Vineyard Church

EVALUATION OF THE REQUEST

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

North	Single-family; zoned R-3B, multi-family; guided Medium Density Residential
West	Mixed uses; zoned B-1, Limited Business; guided Community Commercial
South	Single-family; zoned R-1C, Single-family, guided LDR
East	Single-family; zoned R-3C, multi-family; guided Medium Density Residential

Conditional Use Permit (CUP)

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

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 proposed use is consistent with the Comprehensive Plan as it is guided for Public/Institutional uses.

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.*

This standard would be met. The P, Institutional zoning district is intended to provide areas for public and institutional uses. Daycare facilities are a type of public use intended to be located in the P zoning districts and are allowed with a conditional use permit.

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

This standard would be met. The proposed use will not create any adverse physical impacts upon the neighborhood. There will not be any changes to the existing or surrounding properties.

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.*

The proposed request does not appear to have any negative effects on City facilities or services. The City Fire Marshal and Building Official would review and approve plans for code compliance prior to any improvements being done to the building.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*

- a) *Aesthetics/exterior appearance*

There are no exterior changes proposed to the site.

- b) *Noise*

The proposed daycare use would not generate noises that are inconsistent with P zoning.

- c) *Traffic*

The peak hours for the daycare will be during the morning drop-off and the afternoon pick-up of children. The proposed use will not likely create a traffic problem. There will not be a loading/drop-off area. The parents are required to park their cars and come inside to pick up their kids.

- d) *Drainage*

No additional impervious surface is proposed; this condition is met.

- e) *Fencing, landscaping and buffering*

Not applicable.

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.*

Parking requirements for a daycare operation is based on the number of employees (one space per employee) and children (one loading/parking area for every 6 students). Considering the lot currently features enough parking spaces for the church congregation and the daycare's peak hours are much different than the church's, there is adequate parking for the parents and the employees to park during the daytime business hours.

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

Staff is not aware of any public health, safety or welfare issues associated with the proposal. This standard has been met.

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

N/A

Other Site Design Elements

1. *Signage*

Signage is not approved as part of the CUP request. Signage on the property shall follow section 10-15E of the city code. A building permit is required for any new signs or changes to the existing signs.

ALTERNATIVES

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

- A. **Approval** If the Planning Commission finds the application to be acceptable, the following action should be taken:

1. All building, parking/drive aisles, and landscaped areas shall be properly maintained.
2. The hours of operation are limited to Monday through Friday from 6:30 AM to 6:00 PM.
3. The applicant must apply for and obtain a building permit for any signage or building improvements.
4. Daycare operation may not commence until proper approval from the State is received and maintained.
5. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this permit.

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.

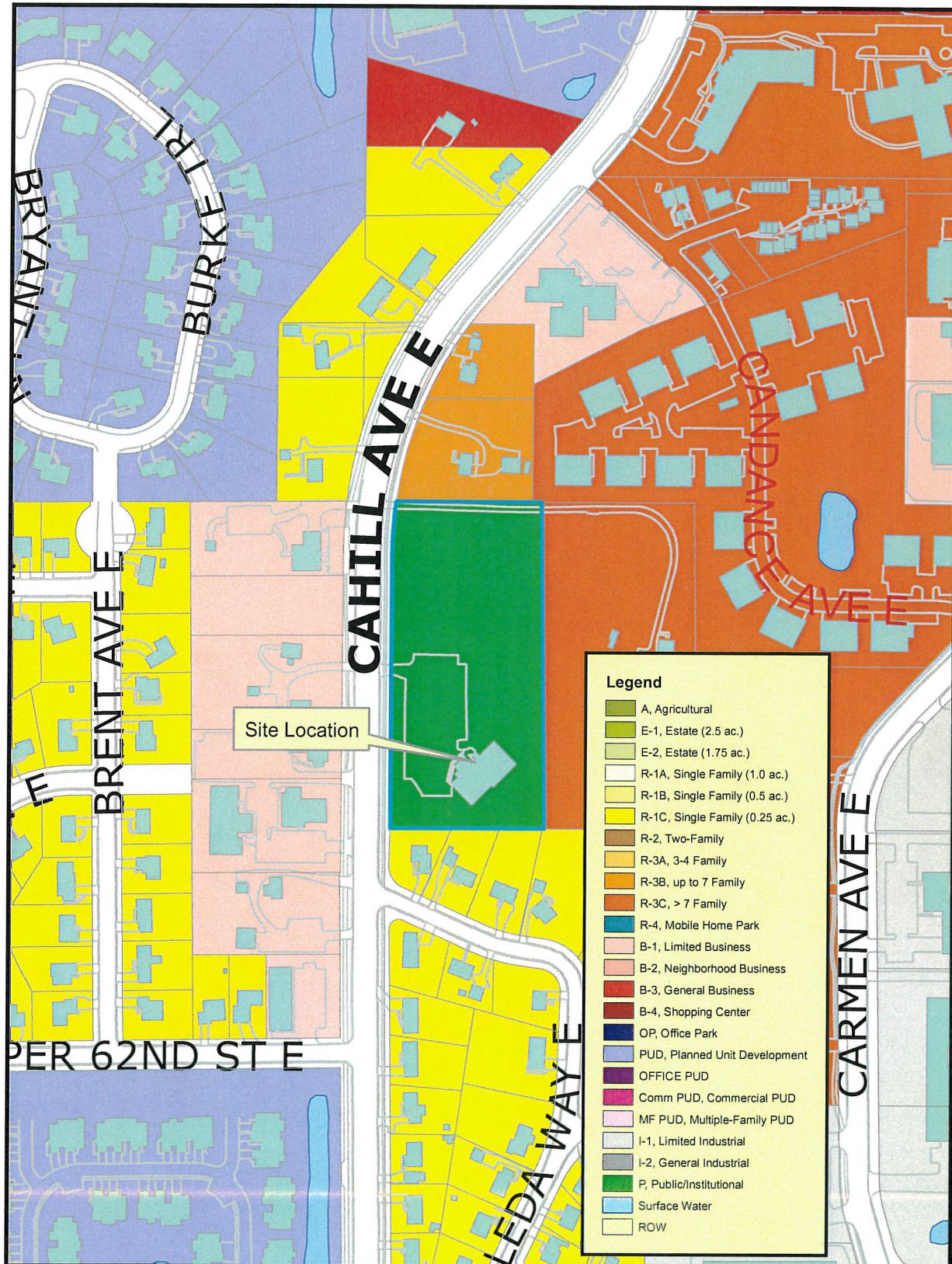
RECOMMENDATION

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the request as presented.

Attachments Exhibit A - Zoning and Location Map
Exhibit B - Narrative
Exhibit C - Building Plan



6070 Cahill Avenue Case No. 18-58C



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.
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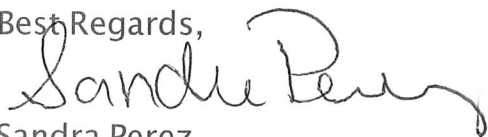
Exhibit A
Zoning and Location Map
Map not to scale

Dear esteemed members of the IGH Board,

To those of you who may not know me, my name is Sandra Perez and I am owner of Mi Familia Child Care Center. I am also a licensed CDA Observation Specialist, a committee member of the board of Neighbors Inc, and a member of River Heights Vineyard Church. Our Child Care Center has been open since 2013. In a very competitive market, I am happy to say that we've always been blessed with many families that we serve and always look to help the community in anyway that we can. That being said, we're always looking to grow and feel that serving out of River Heights Vineyard would be a great opportunity. Our vision for this project would be to open with two preschool classroom initially, with 30 total children (ages 3 to 5 years old) enrolled in our program. Our target group would be low income families, or families in need due to hardships or life circumstances. Ideally the families would have government assistance, and the payment will come from the county they live in, rather than them paying out of pocket. We also may have scholarship funding options available for qualifying families, and their tuition would be paid by state resource agencies. However we would serve any family that is in need, no matter the payment method.

As far as in the classroom, we strive to provide a consistent and educational experience for each child. We will create a positive, welcoming environment so that each child feels safe and accepted. We always take a holistic approach to teaching, and will not only promote kindergarten readiness but foster social and emotional growth of the children as well. Our staff is trained in all areas of childcare and will maintain a level of professionalism that will positively reflect upon us as a preschool as well as River Heights Vineyard. we are very excited to begin this new venture, and we know that God will continue to bless both Mi Familia Child Care Center and River Heights Vineyard. If you have questions of any kind please don't hesitate to ask!

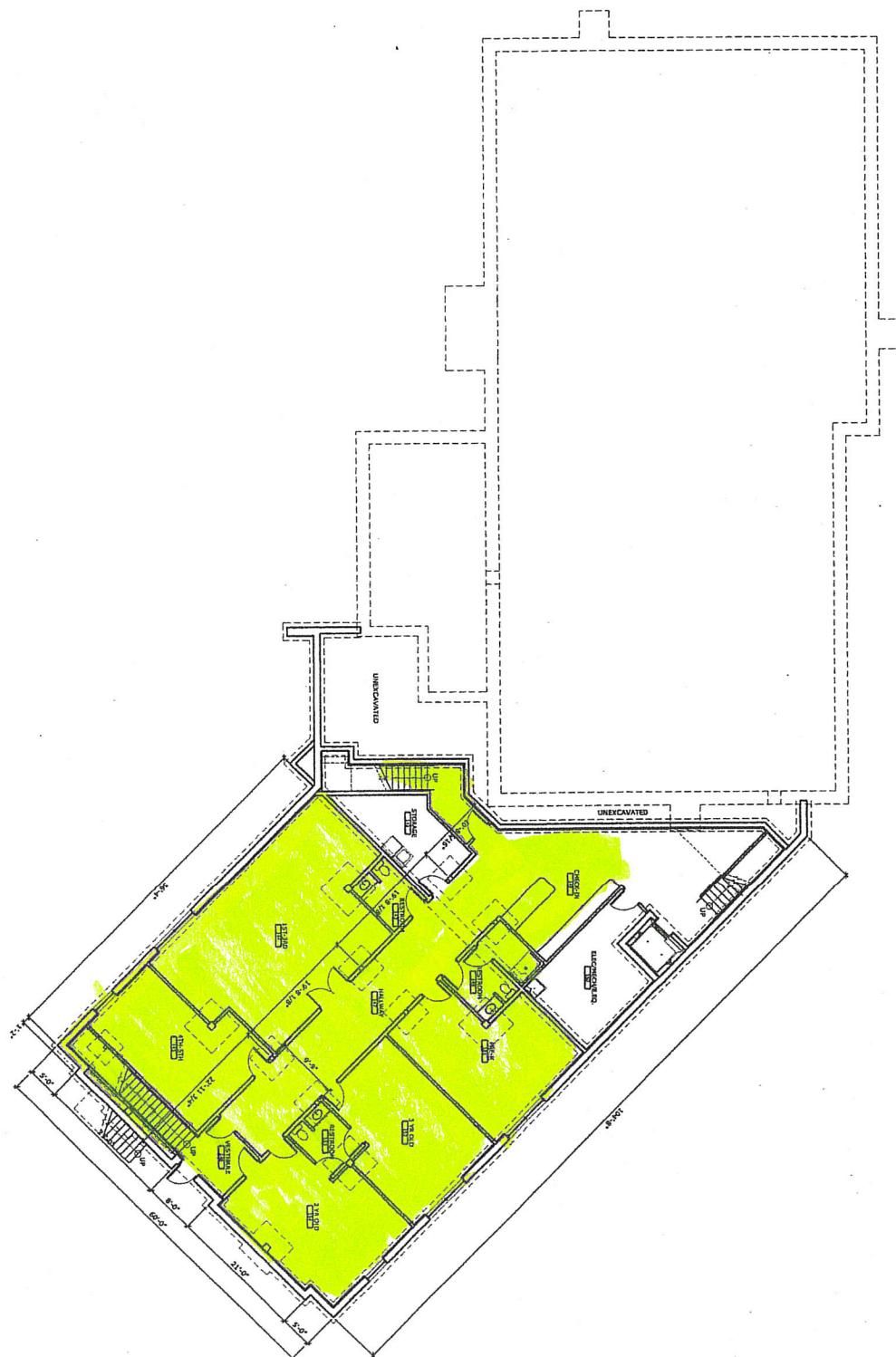
Best Regards,

A handwritten signature in black ink that reads "Sandra Perez". The signature is fluid and cursive, with the first name "Sandra" being more prominent than the last name "Perez".

Sandra Perez

651-270-7037

mifamiliacare@gmail.com



134-16
A2.02 LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Planning Commission

FROM: Allan Hunting, City Planner

DATE: November 1, 2018

SUBJECT: 2040 COMP PLAN PLANNING COMMISSION RECOMMENDATION

Brad Scheib from HKGi will give a 15-minute presentation highlighting the process and key plan updates. The Planning Commission can then hold the public hearing, take testimony and comments. After discussion, the Planning Commission is to make a recommendation to the City Council to consider the plan for submission to the Metropolitan Council for their action.

At the informal open house the consultant will have number of display boards, copies of the plan and comment cards for the public to write out any other comments or suggestions. The Planning Commission can enter the comment cards into the public record for the meeting and they can be discussed that night.