

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Wednesday, November 20, 2018 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

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

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

Commissioners Absent: Jonathan Weber

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

INVER GROVE STORAGE – CASE NO. 18-59CA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit amendment to allow outdoor vehicle storage in the front parking lot and a variance from the front yard parking setback, for the property located at 10125 Courthouse Boulevard. 11 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant would like to expand the outdoor storage area of the space currently designated for U-Hauls. The expansion would add approximately 20 additional outdoor storage spaces and would be located on the existing hard surface. The applicants will continue with U-Haul rental as an accessory use but are seeing a higher demand for storage space. The current storage area is screened with a solid fence with a secured gate. City code requires outdoor storage areas be screened from view. The applicants are proposing a four-foot solid fence along the front property line to screen the additional outdoor storage. Staff is recommending that the new fence be the same height as the existing solid fence. The applicants are requesting a variance to allow the outside storage to be allowed up to the front property line whereas 10 feet is the required front parking setback. Staff recommends denial of the variance request as they believe it is more of a convenience to the applicant and there is lack of a practical difficulty. With the recommendation of denial, staff would add a condition requiring that the property owner either install the fence at the 10-foot setback line or install bollards to maintain a 10-foot parking setback. Staff recommends approval of the conditional use permit amendment with the six conditions listed in the report. Staff did not hear from any of the surrounding property owners.

Commissioner Robertson asked for clarification of the property line location.

Ms. Botten showed that the property line was located at the edge of the existing hard surface with the green area in front of it being public right-of-way. City Code requires the parking of vehicles be at least 10 feet inside the property line.

Chair Maggi asked if it was unusual for the pavement to go right up to the property line.

Ms. Botten replied in the affirmative. She advised that the pavement has been in place since at least 1990; the City now has policies and procedures in place to prevent that from happening.

Opening of Public Hearing

Jerry Kotzenmacher, 9387 Tyne Lane, advised he was available to answer any questions.

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

Mr. Kotzenmacher replied in the affirmative. He stated he would prefer a four-foot fence, or no fence at all, as anything higher than four feet would create a security risk for his employees who work in the office building. They are requesting a variance to allow their U-Haul trucks more room for maneuvering, especially when there is a trailer attached.

Commissioner Kramer asked the applicant if he would be installing a new gate.

Mr. Kotzenmacher replied he would not. Rather, they would be keeping the existing gate in its current location.

Commissioner Robertson asked if the trailer could be taken off a truck to allow for better maneuverability within the proposed expansion area.

Mr. Kotzenmacher replied in the affirmative but stated it would be beneficial to have the additional 10 feet.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Niemioja stated she was conflicted on staff's recommendation on the variance as she understood why the applicant would want a four-foot fence for safety reasons.

Ms. Botten advised that outdoor storage areas are required to be screened from view but there is no minimum height requirement for screening in the I-1 district. Other zoning districts require a minimum fence height of 5-6 feet. Staff is recommending the new fence be the same height as the existing solid fence.

Commissioner Robertson stated that approving the variance would set a precedent; however, she believes there is some rationale for wanting the four-foot fence for security reasons.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Niemioja, to approve the request for a conditional use permit amendment to allow outdoor vehicle storage in the front parking lot, for the property located at 10125 Courthouse Boulevard.

Motion carried (8/0).

Chair Maggi stated the challenge with approving the variance is identifying a practical difficulty.

Commissioner Scales stated he could not come up with a practical difficulty, but he supported the variance request.

Commissioner Robertson was reluctant to approve the variance because of the precedent it would

set, especially considering the many existing and proposed storage areas in the City.

Chair Maggi noted that the Planning Commission often denies variance requests for lack of practical difficulty, knowing that City Council has a greater purview and can look at multiple factors.

Motion by Commissioner Robertson, second by Commissioner Wippermann, to deny the request for a variance from the front yard parking setback, for the property located at 10125 Courthouse Boulevard, with the condition listed in Alternative B of the staff report.

Motion carried (8/0). This item goes to the City Council on November 26, 2018.

DISCOUNT STORAGE – CASE NO. 18-55CAZ

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from A, Agriculture to I-1, Light Industry and a comprehensive plan amendment from RDR, Rural Density Residential to LI, Light Industrial, for the property located at 10805 Rich Valley Boulevard. 12 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is proposing to change the land use designation from Rural Density Residential to LI, Light Industrial and rezoning from A, Agricultural to I-1, Limited Industry, for a future open mini-storage facility. Staff laid out rationale both for and against in the staff report. Mr. Hunting advised that the property is surrounded and guided for large lot residential, with the closest industrial type use being south of Cliff Road. Approving this change would be a departure from the past, present, and proposed comprehensive plan. Staff does not believe a change of land use to industrial would be in the best interest to the surrounding neighborhood and City and therefore staff recommends denial of both requests.

Opening of Public Hearing

Paul Saver, 7845 Boyd Court, advised he was available to answer any questions.

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

Mr. Saver replied in the affirmative. He advised that his family has lived in Inver Grove Heights since 1870 and currently he is the Director of Development for TSA Holdings (the property owner), as well as the CEO of Action Construction and Johnson Excavating, which have operated from 10805 Rich Valley Boulevard continuously since 1972. Approximately 10 acres of that property are being taxed as Commercial-Preferred. The properties north and south of them are paying approximately \$115 per acre whereas they are paying \$340 per acre. Over the last several years Flint Hills Refinery has purchased over 3,000 acres within a mile of the refinery and the closest lot in which a home could be constructed is nearly a mile away. He believes the comprehensive plan designation of RDR for this lot is outdated. In recent years the City has purchased, and removed from the tax rolls, several industrial commercial properties along Concord Boulevard, Doffing Avenue, and Dickman Trail, further limiting where industrial uses can be conducted in the City. Between the years of 2000 and 2010 the medium income per household in IGH dropped by \$10,000, all while the cities of Eagan, Apple Valley, and Rosemount saw gains. Between TSA Holdings and himself they own six businesses that employ many people from this community and pay better than average wages. Mr. Saver said the subject property is ideally suited for industrial use considering its proximity to Pine Bend Landfill, SKB Landfill, and Flint Hills Refinery. Because the property is only 19.9 acres in size using it for agricultural purposes would be severely limited

and TSA Holdings believes the City would be better served by rezoning this property to I-1.

Commissioner Robertson asked Mr. Saver to explain what Wallet Hub was, noting that he referred to a study done by them in his narrative.

Mr. Saver advised that Wallet Hub is an organization that studies small cities across the country and rates them regarding starting small businesses. He advised that Inver Grove Heights recently dropped to 154th, likely because of the vacant commercial spaces.

Commissioner Robertson advised that she was able to find the most recent study done by Wallet Hub and Inver Grove Heights came in at 49 points out of 50 for having the best business environment.

Mr. Saver asked Commissioner Robertson if she noticed that the ranking went from 6 to 154 in one year.

Commissioner Robertson replied that she believed Inver Grove Heights was still ranked 6th out of 1,261 small cities in business environment. Although she has heard people say that Inver Grove Heights has a difficult business environment for retail, the Wallet Hub study seems to indicate otherwise.

Mr. Saver stated the last study he saw ranked Inver Grove Heights overall as 154th.

Commissioner Robertson agreed, stating IGH was ranked 154 out of 1,261, which means they are in the top 11%. She thanked Mr. Saver for the additional information he provided Commissioners.

Mr. Saver replied that they do their due diligence wherever they do business so they don't set themselves up for failure.

Chair Maggi asked the applicant why he believed a house could not be built within one mile.

Mr. Saver replied because Flint Hills owns 3,000 acres within a mile of the subject property.

Chair Maggi noted that the subject property is 20 acres in size.

Mr. Saver stated regardless of its size, no one wants to build a home less than 1,000 feet from a landfill.

Chair Maggi asked Mr. Hunting to point out on a map which properties were owned by Flint Hills.

Mr. Hunting pointed out several nearby properties but was unsure of all the ownership.

Chair Maggi asked if the properties pointed out by Mr. Hunting were still guided for RDR even though they were owned by Flint Hills.

Mr. Hunting replied in the affirmative.

Mr. Saver advised that Flint Hills purchased those properties to ensure that nothing was ever built on them.

Loren Scherff, 1320 – 105th Street E, stated there were lots within a mile of the subject property on which a house could built, this was spot zoning, and he questioned what other uses were allowed in I-1.

Mr. Hunting replied light service, manufacturing, auto-related uses, etc. would be allowed should it be rezoned to I-1.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi agreed that changing this to I-1 would be spot zoning.

Commissioner Wippermann asked for clarification of the right-of-way designated to the east of this property.

Mr. Hunting explained it was right-of-way that was designated years ago for the extension of Cliff Road. That plan has since been abandoned and there will be no streets built there.

Commissioner Kramer asked Mr. Hunting to elaborate on the property's current tax designation.

Mr. Hunting advised that the zoning and tax designation can be two different things. The County looks at the use of the property and taxes accordingly.

Commissioner Niemioja did not believe that changing the zoning to I-1 would fit with the guiding principles of the comprehensive plan or the overall needs of the city.

Planning Commission Recommendation

Motion by Commissioner Niemioja, second by Commissioner Scales, to deny the request for a rezoning of the property from A, Agriculture to I-1, Light Industry and a comprehensive plan amendment from RDR, Rural Density Residential to LI, Light Industrial, for the property located at 10805 Rich Valley Boulevard, due to the rationale listed in the report, this being spot zoning, and non-compliance with the guiding principles of the comprehensive plan.

Motion carried (8/0). This item will go to the City Council on November 26, 2018.

OTHER

Mr. Hunting advised that the December 4, 2018 Planning Commission has been cancelled.

The meeting was unanimously adjourned at 7:39 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary