

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**TUESDAY, AUGUST 20, 2019 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

- 1. CALL TO ORDER**
- 2. PLANNING COMMISSION MINUTES FOR AUGUST 7, 2019 ARE NOT YET AVAILABLE; THEY WILL BE INCLUDED WITH THE NEXT PACKET**
- 3. APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 GREGORY DAMIANI - CASE NO. 19-30VC

Consider the following requests for the property located at 8709 Ann Marie Trail:

- a) A **conditional use permit** to allow sheet metal siding on an accessory building.

Planning Commission Action _____

- b) A **variance** to allow an accessory structure larger than 1,600 gross square feet.

Planning Commission Action _____

3.02 SCOTT & EVA SOLOMONSON – CASE NO. 19-33ZPC

Consider the following requests for the property located at 2660 50th Street:

- a) A **comprehensive plan amendment** to change the land use from CC, Community Commercial to LI, Light Industrial.

Planning Commission Action _____

- b) A **rezoning** of the property from B-3, General Business to I-1, Limited Industry.

Planning Commission Action _____

- c) A **conditional use permit** to allow a Contractor's yard on the property.

Planning Commission Action _____

- d) A **variance** to allow the shop building 10 feet from the property line along Blaine Avenue.

Planning Commission Action _____

3.03 GATEWAY CHRISTIAN CHURCH - CASE NO. 19-31PDA

Consider a **planned unit development amendment** to allow a Church to be an allowed use in the CSC district within the Arbor Pointe PUD.

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 REPORT

CITY OF INVER GROVE HEIGHTS

HEARING DATE: August 20, 2019

CASE NO.: 19-30CV

APPLICANT AND PROPERTY OWNER: Gregory Damiani

REQUEST: A variance to construct an accessory building larger than 1,600 square feet and a conditional use permit to allow sheet metal siding on an accessory building.

LOCATION: 8709 Ann Marie Trail

COMP PLAN: RDR, Rural Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner



BACKGROUND

The applicant would like to construct a 2,751 square foot detached accessory building on the property whereas 1,600 square feet is the maximum size allowed. There is currently a 585 square foot accessory building on the property; the proposed structure would be added on to this building. The sides of the building facing the house would be constructed with lap-siding with the remainder of the building being sheet metal siding, matching the color of the lap-siding.

The applicant's property is 4.1 acres in size and zoned E-1, Estate Residential. City Code allows property in the A and E-1 districts, 2.5 acres – 5 acres in size, one detached accessory building up to 1,600 square feet. Lots 5 acres or greater are allowed two structures up to 2,400 *gross* square feet. Sheet metal siding is allowed on accessory buildings in the A and E-1 zoning districts by conditional use permit (CUP).

The applicant has stated that the additional size is needed to store his own personal items, which includes a 28-foot travel trailer, ice fishing house, boat, vehicles and lawn equipment. The accessory building would be in compliance with setbacks and impervious surface standards. The property is allowed 17,869 square feet of total impervious surface. The estimated total impervious surface on the property would be about 14,530 +/- square feet, complying with code requirements.

The applicant received approval of a similar request in 2014 allowing the construction of a 2,200 square foot structure. That structure was never constructed, and the variance has since expired.

SPECIFIC REQUEST

The following specific applications are being requested:

- A.) A **Variance** to construct an accessory building 2,751 square feet in size whereas 1,600 square feet is allowed by code.
- B.) A **Conditional Use Permit** to allow sheet metal siding on a portion of an accessory building in the E-1, Estate residential district.

SURROUNDING USES: The subject site is surrounded by the following uses:

North and West -	Single-family; zoned E-1, Estate Residential; guided RDR, Rural Density Residential
East and South -	Single-family; zoned E-2, Estate Residential; guided RDR, Rural Density Residential

EVALUATION OF REQUEST:

Variance City Code Title 10, 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 variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

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

The City Council reviewed the accessory structure size requirements in 2006. The Council revised the ordinance, Section 10-15-18C states: *On lots 2.5 acres or more, but less than 5 acres in size which are located in an A or E-1 zoning district, detached accessory structures to single-family residential uses shall not exceed a gross floor area of 1,600 square feet.* Prior to 2006 all lots less than 5 acres were allowed a 1,000 square foot accessory building.

With this in mind, granting the variance may establish a precedence that is contrary to the intent of the City Code.

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

City Code allows for larger accessory buildings on lots 2.5 acres or greater; allowing a structure larger than 1,600 square feet could set a precedent for other properties in the 2.5 - 5 acre lot size. The maximum accessory building size standards are not precluding the homeowner from reasonable use of the property.

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

The property is 4.1 acres in size. The proposed accessory building exceeds the maximum size allowed in lots greater than five acres. The request for a larger structure would be for the property owners own personal use. This variance may be considered a convenience to the applicant, not a practical difficulty.

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

The surrounding properties are acreage lots with topographical challenges and are heavily wooded. The structure would be setback over 200 feet from the road and about 160 feet from the closest neighboring structure. The proposed structure would be one of largest detached structures in the neighborhood, if not the largest.

Allowing a 2,751 square foot building could alter the character of the neighborhood as a number of abutting properties are less than 2.5 acres in size and are only allowed one detached building up to 1,000 square feet in size.

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

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

Conditional Use Permit Sheet metal siding on pole buildings is a conditionally permitted use in the E-1, Estate Residential zoning district. Two sets of zoning code review criteria apply to sheet metal pole buildings. The first set is specific to sheet metal sided accessory buildings. The second is a general set of criteria applicable to all conditional use permits.

Sheet Metal Siding CUP Criteria

Section 10-15-17 and 10-15-18 of the Zoning Regulations list criteria for accessory buildings.

1. *The sheet or corrugated steel or aluminum metal siding has a thickness of at least 29 gauge, and comes with a manufacturer's warranty of at least 20 years.*

The applicant has stated the proposed building material meets these specifications.

2. *There shall be a minimum space of six (6) feet between the principal and accessory structure unless attached, and a minimum space of six (6) feet between all other accessory structures.*

This criterion has been met. The building is proposed to be located over six feet away from the house.

3. *Any detached accessory structure that exceeds a gross floor area of 1,000 square feet must have a minimum setback from all property lines of 50 feet.*

This criterion has been met. The building would be setback about 63 feet from the closest property line to the east.

General CUP Criteria

Section 10-3A-5 of the Zoning Regulations lists criteria to be considered with all conditional use permit requests. The proposed request meets the Conditional Use Permit criteria relating to the Comprehensive Plan and zoning consistency, land use impacts such as setbacks, drainage, and aesthetics, environmental impacts, and public health and safety impacts.

ALTERNATIVES

The Planning Commission has the following alternatives available for the requested action:

A. Approval If the Planning Commission finds the requests to be acceptable, the Commission should recommend approval of the requests with at least the following conditions:

- Approval of a **Variance** to allow a 2,751 square foot accessory building whereas 1,600 square feet is the maximum size allowed subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 3. The applicant shall meet the conditions outlined in the City Engineers review letters and subsequent correspondence.
 4. The northerly driveway going to the house shall be converted to grass or other approved material to comply with the impervious surface requirements.
- Approval of the **Conditional Use Permit** to allow sheet metal siding subject to the following conditions:
 1. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or a home occupation.
 2. The sheet metal siding shall have a thickness of at least 29 gauge and shall come with a manufacturer's warranty of at least 20 years.
 3. The applicant shall meet the conditions outlined in the City Engineers review letters and subsequent correspondence.
 4. The northerly driveway going to the house shall be converted to grass or other approved material to comply with the impervious surface requirements.

B. Denial If the Planning Commission does not favor the proposed request(s), it should be recommended for denial, which could be based on the following rationale:

1. The conditions of the property are not so limiting or unique that the property could not be used in a reasonable manner without the garage variance. The property would still function as a single family residence with an attached garage and an accessory building up to 1,600 square feet in size.
2. Approval of the variance could set a precedent for other accessory building size variances on lots 2.5 – 5 acres in size.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance; the proposed size of the garage may be considered a convenience to the applicant, not a practical difficulty.

RECOMMENDATION

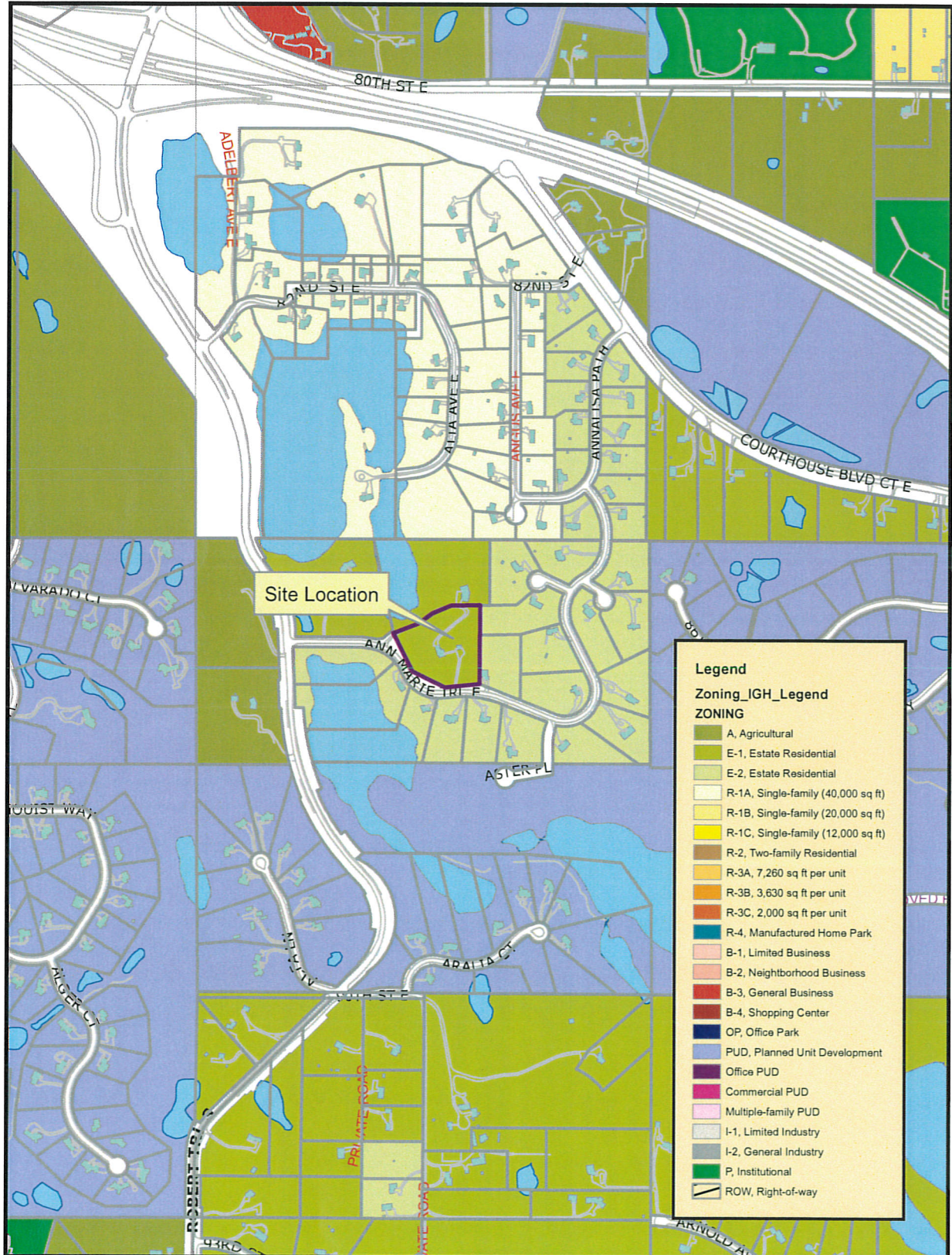
Based on the information in the preceding report and the reasons listed in Alternative B, staff is recommending denial of the **variance** request to allow a 2,751 square foot accessory building as the request does not meet the variance criteria.

A **conditional use permit** for sheet metal siding is also being requested for an accessory building. Staff would support a conditional use permit for a detached building up to 1,600 square feet in size with the conditions listed in Alternative A.

Attachments: Exhibit A - Location/Zoning Map
 Exhibit B - Applicant Narrative
 Exhibit C - Site Plan
 Exhibit D - Elevation Plan



8709 Ann Marie Trail Case No. 19-30CV



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

I am applying for approval to construct a detached accessory structure, which would be attached to an existing 575 sq. ft. accessory structure, for a resulting single 2,751 sq. ft. accessory structure. As a result of the northerly right of way of Ann Marie Trail abutting my property, my lot is a unique size of 4.1022 acres. My need for a variance stems from wanting to use my irregular-sized lot in a reasonable manner not permitted by the City's Zoning Ordinance.

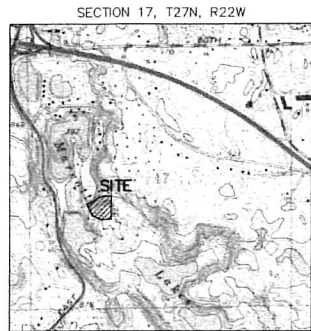
My property is zoned E-1, Estate 2.5 acres. The maximum land use standards for E-1 accessory structures ≥ 5 acres is two structures/2,400 sq. ft. and <5 acres is one structure/1,600 sq. ft. The City's Comprehensive Plan states that rural density residential lots in this area are likely to have accessory uses such as small storage buildings associated with hobby farms and other related uses. I believe my proposed accessory structure is in harmony with the other related uses referenced above. Additionally, it is clear that City Code 10-15-17C.4. was written in contemplation of the construction of steel pole sheds/barns, which is my intent.

Currently, there is a detached, two-car garage accessory structure located on my property, and near the garage are two driveways that do not intersect. My proposed structure attaches to the existing structure and utilizes a pull through feature that will allow me to enter the structure from one driveway and exit the structure onto the other driveway. The proposed building site is relatively level with few trees. The proposed structure is not detrimental to public welfare or the neighborhood, does not affect the supply of light or air to adjacent properties, or alter the essential character of the neighborhood.

A structure such as the one I am proposing would greatly enhance the ease of maneuvering my recreational vehicles into storage. I own an 8 x 20 ice fishing house, 28-foot travel trailer, 19-foot fishing boat with 22-foot trailer, 14-foot aluminum utility trailer, Chevy Colorado, a Silverado, and a John Deere lawn tractor and pull behind trailer. I want to be able to store these items on my property in a structure that provides shelter from the elements as well as reduces the probability of the items being stolen or vandalized if they are parked in the open, which is unsafe and unsightly. Additionally, my hobby is wood-working, so I own several pieces of wood working equipment and lumber that need to be stored. The existing 585 sq. ft. accessory structure is inadequate to store my personal property and it is unreasonable to store these items outdoors or off-site.

It is my desire to comply with City Code 10-15-18: Accessory Structures; however, my practical difficulty in complying with the zoning ordinance is that my lot is just shy of 5 acres, but is substantially larger than 2.5 acres. The configuration of the larger accessory structure allows utilization of both driveways via the pull through feature and provides adequate storage for my personal property. The proposed structure is more in line with the land use standards for a lot of my size and is a compromise of the two land use maximum standards. For these reasons, I am seeking a variance and conditional use permit to allow for a single 2,751 sq. ft. accessory structure on my property.

Exhibit B



VICINITY MAP
(NO SCALE)



NORTHERLY SIDE OF 8709 ANN MARIE TRAIL
INVER GROVE HEIGHTS, MN



SOUTHERLY SIDE OF 8709 ANN MARIE TRAIL
INVER GROVE HEIGHTS, MN

1 INCH EQUALS 30 FEET

BASES FOR BEARINGS:
DAKOTA COUNTY
COORDINATE SYSTEM
(NAD 83, 1996)
(VIA REAL TIME GPS
MEASUREMENTS TO
DAKOTA COUNTY
MONUMENTS UTILIZING
MINNESOTA DEPARTMENT
OF TRANSPORTATION
VLS NETWORK)

THE DAMIANI RESIDENCE

8709 ANN MARIE TRAIL

CITY OF INVER GROVE HEIGHTS, DAKOTA COUNTY, MINNESOTA

FOUND DAKOTA COUNTY
COST IRON MONUMENT
NORTHWEST CORNER OF
SEC. 17, T27N, R22W

POINT OF COMMENCEMENT
NORTHWEST CORNER OF THE
NORTH HALF OF THE SOUTHWEST
QUARTER OF SEC. 17, T27N, R22W

S 89°40'53" E 103.28 (M)
S 89°15'40" E 103.28 (M)

NORTH LINE OF THE
SOUTHWEST QUARTER OF
SEC. 17, T27N, R22W

S 11°45'47" E 559.40 (M)
S 12°20'47" E 559.40 (M)



WESTERLY SIDE OF 8709 ANN MARIE TRAIL
INVER GROVE HEIGHTS, MN

ZONING REQUIREMENTS

ZONED E-1 - 2% ACRE ESTATE DISTRICT
SUBJECT TO SHORELAND MANAGEMENT OVERLAY DISTRICT

MINIMUM LOT AREA - 2% ACRES

MINIMUM LOT WIDTH - 200 FEET

MAXIMUM IMPERVIOUS SURFACE COVERAGE -
10% BUT NOT LESS THAN 16,335 SQ. FT.

MAXIMUM HEIGHT - 35 FEET

BUILDING SETBACKS:

FRONT - 30 FEET

SIDE - 10 FEET

REAR - 50 FEET

ACCESSORY STRUCTURES:

MAXIMUM SIZE - 1,000 SQ. FT.

MAXIMUM NUMBER - 1

FRONT SETBACK - 30 FEET

SIDE SETBACK - 10 FEET (LESS THAN 1,000 SQ. FT.)
- 50 FEET (GREATER THAN 1,000 SQ. FT.)

REAR SETBACK - 50 FEET

MAXIMUM HEIGHT - 25 FEET

THERE SHALL BE A MINIMUM SPACE OF 8 FEET
BETWEEN THE PRINCIPAL AND ACCESSORY STRUCTURE
UNLESS ATTACHED, AND A MINIMUM SPACE OF 8 FEET
BETWEEN ALL OTHER ACCESSORY STRUCTURES

(AS PER CITY OF INVER GROVE HEIGHTS ZONING CODES)



GARAGE AT 8709 ANN MARIE TRAIL

FLOODPLAIN NOTE:
SUBJECT PROPERTY DOES NOT LIE WITHIN
ANY SPECIAL FLOOD HAZARD AREAS
ACCORDING TO THE FEDERAL EMERGENCY
MANAGEMENT AGENCY FLOOD INSURANCE
RATE MAP COMMUNITY PANEL NUMBER
2700C-0105 E. DATED DECEMBER 2,
2000, DAKOTA COUNTY, MINNESOTA
(NON-PRINTED PANEL)

KEMPER & ASSOCIATES INC.
PROFESSIONAL LAND SURVEYORS

721 OLD HIGHWAY 8 N.W.
NEW BRIGHTON, MINNESOTA 55112
651-631-0351
FAX 651-631-8805
email: kemper@pro-nls.net
www.kempersurveys.com

CERTIFICATE OF SURVEY

1400S (1400S.DWG) D.B. TODD HOLEN

Remove-Drill
top soil & seed
APPLY

CONCRETE
DRIVE

Impervious
Surface

A 3980
B 1100
C 1800
D 115
E 1700
F 3146
H 480
I 1800
J 320
K 90

14,531
O-L 2830

LEGAL DESCRIPTION

CERTIFICATE OF TITLE NO. 128130

That part of the North Half of the Southwest Quarter of Section 17, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows:

Commencing at the northwest corner of said North Half of the Southwest Quarter; thence South 89 degrees 15 minutes 40 seconds East (bearing assumed) along the north line of said North Half of the Southwest Quarter a distance of 1038.28 feet; thence South 11 degrees 33 minutes 40 seconds East 559.40 feet to a point labeled as "POINT A" on the boundary line of VALI HI, according to the recorded plat thereof on file in the office of the County Recorder in said county and state, said point being the point of beginning of the property to be described; thence North 69 degrees 25 minutes 20 seconds East 160.00 feet; thence North 54 degrees 24 minutes 20 seconds East 100.00 feet; thence North 67 degrees 23 minutes 20 seconds East 115.00 feet; thence North 89 degrees 22 minutes 20 seconds East 169.00 feet more or less to a point on the northerly extension of the west line of Lot 3, Block 2, said VALI HI; thence South 0 degrees 44 minutes 20 seconds West along the westerly boundary of Lots 3 and 6, Block 2, and the northerly extension thereof a distance of 459.30 feet to the southwest corner of said Lot 6; thence South 84 degrees 29 minutes 20 seconds West 202.79 feet along the northerly right of way line of Ann Marie Trail as dedicated in said plat of VALI HI; thence North 63 degrees 31 minutes 40 seconds West, continuing along said northerly right of way line 209.50 feet; thence North 26 degrees 15 minutes 30 seconds West, and along said northerly right of way line, a distance of 200.73 feet more or less to said "POINT A", the point of beginning.

Together with a perpetual non-exclusive easement for roadway purposes over and across an adjoining strip of land, such strip being fifteen feet in width, the Southerly line of which is described as follows:

Commencing at the northwest corner of the north 1/2 of the southwest 1/4 of Section 17, Township 27 North, Range 22 West, thence South 89 degrees 15 minutes 40 seconds East (bearing assumed) along the north line of the north 1/2 of said southwest 1/4 a distance of 1038.28 feet; thence South 11 degrees 33 minutes 40 seconds East 559.40 feet to a point labeled as "POINT A" on the boundary line of VALI HI, according to the recorded plat thereof on file in the office of the County Recorder in said County and State said "POINT A" being the point of beginning of the line to be described; thence North 69 degrees 25 minutes 20 seconds East 160.00 feet; thence North 54 degrees 24 minutes 20 seconds East 100.00 feet; thence North 67 degrees 23 minutes 20 seconds East 115.00 feet; thence North 89 degrees 22 minutes 20 seconds East 169.00 feet more or less to a point on the northerly extension of the west line of Lot 3, Block 2, VALI HI and there terminating.

PROPERTY AREA =
178,692 SQ. FT.
OR 4.1022 ACRES

LEGEND

PP ○ POWER POLE

TR □ TELEPHONE RISER

LP ○ LAMP POST

EM □ ELECTRIC METER

GM □ GAS METER

AC □ AIR CONDITIONER

MB □ MAIL BOX

□ SIGN

OH — OVERHEAD UTILITY LINES

(M) DENOTES DIMENSION MEASURED DURING THE COURSE OF THIS SURVEY

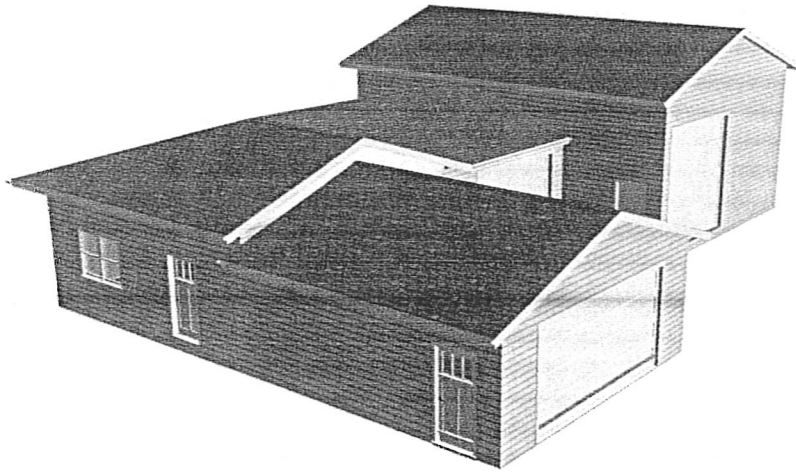
(R) DENOTES RECORD DIMENSION AS PER LEGAL DESCRIPTION

• DENOTES SET SURVEY MONUMENT MARKED "KEMPER 18407"

PREPARED FOR:
MIKE DAMIANI
1691 ROSE AVE. E.
ST. PAUL, MN 55106
651-263-1039

CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY, PLAN,
OR REPORT WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION AND THAT
I AM A DULY LICENSED PROFESSIONAL LAND
SURVEYOR UNDER THE LAWS OF THE STATE
OF MINNESOTA.

MARK A. KEMPER, PLS 18407
DATED THIS 13TH DAY OF January 2014
KEMPER & ASSOCIATES, INC.



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

CASE NO.: 19-33ZPA

APPLICANT: Scott & Eva Solomonson

PROPERTY OWNER: Scott & Eva Solomonson

REQUEST: Comp Plan Amendment, Rezoning, Conditional Use Permit, Variance

LOCATION: 2660 50th Street

HEARING DATE: August 20, 2019

COMPREHENSIVE PLAN: CC, Community Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing to develop the site as a landscape design and installation business. This type of use would be considered a “contractors yard with outdoor storage” in the zoning code. A contractors yard is a conditional use in the I-1 District. The applicant is therefore requesting a comprehensive plan amendment to change the use to Light Industrial and change the zoning to I-1, Limited Industry District. The applicant is also proposing a new shop building which will require a setback variance.

Phase 1 of the proposed improvements would consist of tearing down the existing garage and replace with a 3,200 square foot shop building that will be used to house the company’s vehicles. A new gravel parking area in front of the shop would be constructed as well as parking spaces for employees. There would also be other general maintenance of the grounds including removal of some trees for the gravel surfaces.

REQUESTS

The specific requests for the project include the following:

1. A Comprehensive Plan Amendment to change the land use from CC, Community Commercial to LI, Light Industrial.
2. A Rezoning from B-3, General Business District to I-1, Limited Industry District.
3. Conditional Use Permit for a contractor’s yard with outdoor storage.

4. Variance from setbacks along Blaine Avenue.

EVALUATION OF THE REQUEST

Surrounding Uses.

The subject property is surrounded by:

North: Multiple family residential; zoned R-3C; guided Medium Density Residential.
East: MnDOT R-O-W/storm ponds.
West: MnDOT R-O-W
South: Hwy 494

Comprehensive Plan Amendment

The subject parcel is currently guided Community Commercial and proposed Light Industrial. Each is defined in the 2030 Comprehensive Plan as follows:

Community Commercial is defined in the 2040 Comprehensive Plan as:

“Community commercial areas included lots or parcels that contain retail sales and services located along community collector and arterial roadways that serve the community. Community commercial areas differ from neighborhood commercial areas in that they are more intensive and are designed to attract customers from a wider trade area. As such, the goods and services that are available in community commercial areas are broader in scope such as restaurants, private recreational facilities, professional services offices, small-scale printing, etc.”

Light Industrial is defined in the 2030 Comprehensive Plan as:

“Light industrial areas in Inver Grove Heights include lots or parcels containing light manufacturing, goods movement and wholesale trade. Light industrial parcels are located in a number of sites throughout the community with concentrations in the northeast and extreme southern portions of the city”.

The only commercial type use in the area is the Wakota mini-storage operation located west of the site and west of Blaine Avenue. The subject parcel is somewhat isolated in that it is surrounded by MnDOT property and right-of-way to the west, south and east. Other than the townhome development on the north side of 50th Street, there is no other development near or adjacent to the property.

The property is heavily wooded and is 20 plus feet lower in elevation than Blaine Avenue or 50th Street. The site is not easily visible from other properties. The topography and trees make the site impractical for many commercial or industrial uses. The use of the property as a landscape

design company will maintain more of the site in its natural state than other commercial or industrial uses.

Any action on the comp plan change by the City is still controlled by the approval by the Met Council of the City's 2040 plan. The Plan is scheduled to be heard by the full Metropolitan Council on October 9, 2019 for an expected approval of the plan. The City Council would still have to formally adopt the plan after that. That would be expected to occur in Late October, early November. Once that occurs, the proposed applicant amendment could be sent to Met Council for their review. That could take an additional 30-60 days. No building permits for construction could be issued until the plan is adopted by the City and Met Council. Staff makes note of these timelines in the report so the applicant is aware of when they may be able to start construction.

Rezoning

The entire site is currently zoned CC, Community Commercial. A change to I-1 zoning is required to allow for a contractor's yard. This would be consistent with the proposed land use change and because of the isolated nature of the site, does appear to pose any unique characteristics that would be detrimental to the area.

Conditional Use Permit Site Plan Review

Setbacks. The proposed building would comply with all required setbacks except along Blaine Avenue. The building would be proposed 10 feet from the property line whereas 40 feet is required. A variance is being requested and discussed later in this report.

Parking Lot. The proposed improvements would consist of a gravel parking area in front of the new shop building. There would also be 8 paved parking spaces for employees. The is not a retail business and would not be used by the general public. Therefore, no customer parking is required.

Access. Access to the site is not changing; there is one access from 50th Street on the far east side of the property.

Landscaping. A landscape plan has been submitted showing the existing trees and treed areas that would remain. Additional plantings near the parking area and along side the new shop building would satisfy landscaping requirements.

Lighting. The plans show lighting fixtures on the new building which would comply with the style of fixture allowed. The plans do not identify any other parking lot lighting. If any are to be installed, they must also comply with the fixture style of shoe-box with flat lens.

Exterior Building Materials. The exterior of the building would consist of brick with wood accent siding and trim, complying with code requirements.

Signage. All signage must comply with the signage allotment for the “I-1” zoning district. The submitted plan set does not identify signage. All signage requires sign permits.

Fire Marshal Review. All plans shall be subject to the review and approval of the City Fire Marshal for fire lane designation and the signage or marking of the fire lanes at time of building

Engineering. Engineering has reviewed the plans and notes standard conditions that will be required. Perimeter drainage and utility easements will be required and an improvement agreement with storm water management plan will also be required.

General conditional use permit review

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 use would be consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Light Industrial, and a contractor’s yard is consistent with the uses envisioned in this district.

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 property would be zoned Industrial. The land use of contractor’s yard is consistent with the intent of the I-1 zoning district.

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 property.

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 improvements do not appear to have any negative effects on City facilities or services. Engineering, Fire, and Inspections would all review and approve plans for code compliance prior to any improvements being done on the property.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*
 - i. *Aesthetics/exterior appearance*

The proposed building complies with exterior material standards.

ii. Noise

The proposed use would not generate noises that are inconsistent with I-1 zoning or with the background auto/truck noise from the freeway

iii. Fencing, landscaping and buffering

The site sits about 20 feet below the grade of the street. No buffering or fencing is required. Most of the existing trees are proposed to remain.

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 site has access only from 50th Street. It is surrounded by MnDOT property and sits about 20 feet below the street grades of 50th and Blaine. This use would have the least amount of impact to the property and no grading is proposed to raise the property and most of the trees are proposed to remain.

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.*

A grading and storm water management plan is required to address surface water quality.

Variance

City Code Title 10, 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 variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

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

The intent of the code requirement is to provide uniformity in building location. Unique circumstances with the lot would provide ability to be in harmony with the intent of the zoning code and new land use designation.

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

The proposed structure complies with all setbacks except one and the building meets all other performance standards. Allowing a shop building would be a typical building and use for a contractor's yard.

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

The property has unique circumstances in that the right-of-way along Blaine Avenue at this location is significantly wider than a standard boulevard. The width is approximately 60 feet wide at the north end and 100 feet wide at the south end. The variance to allow a 10 ft setback would leave the building approximately 110 feet from Blaine Avenue. As stated earlier in the report, the property is approximately 20 feet lower than street grade, so the building would mostly below street grade and still a significant distance from the road.

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

The proposed building is relatively small for an industrial use and would not be out of character of the neighborhood. Much of the improvements to the site would be screened by existing vegetation and the property being lower than street grade.

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

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

- A. Approval:** If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:

- o Approving the Comprehensive Plan Amendment from CC, Community Commercial to LI, Light Industrial subject to the following conditions:

1. No building permits issued until the Met Council and City Council approves the 2040 Comprehensive Plan.
2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

- o Approving the Rezoning of the property from B-3, General Business District to I-1, Limited Industry District.
- o Approval of the Conditional Use Permit for a contractor's yard with outdoor storage subject to the following conditions:

1. Development of the site shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Grading and Erosion Control Plan	6/3/19
Site and Utility Plan	6/3/19
Building/Shop Elevation	10/26/18
Landscape Plan	8/8/19

2. Prior to any construction on site, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. All plans shall be subject to the review and approval of the Fire Marshal.
4. 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.

- o Approving the Variance to allow the shop building with a 10 foot setback from the Blaine Avenue right-of-way with the practical difficulty being:

The property has unique circumstances in that the right-of-way along Blaine Avenue at this location is significantly wider than a standard boulevard. The width is approximately 60 feet wide at the north end and 100 feet wide at the south end. The variance to allow a 10 ft setback would leave the building approximately 110 feet from Blaine Avenue. As stated earlier in the report, the property is approximately 20 feet lower than street grade, so the building would mostly be below street grade and still a significant distance from the road.

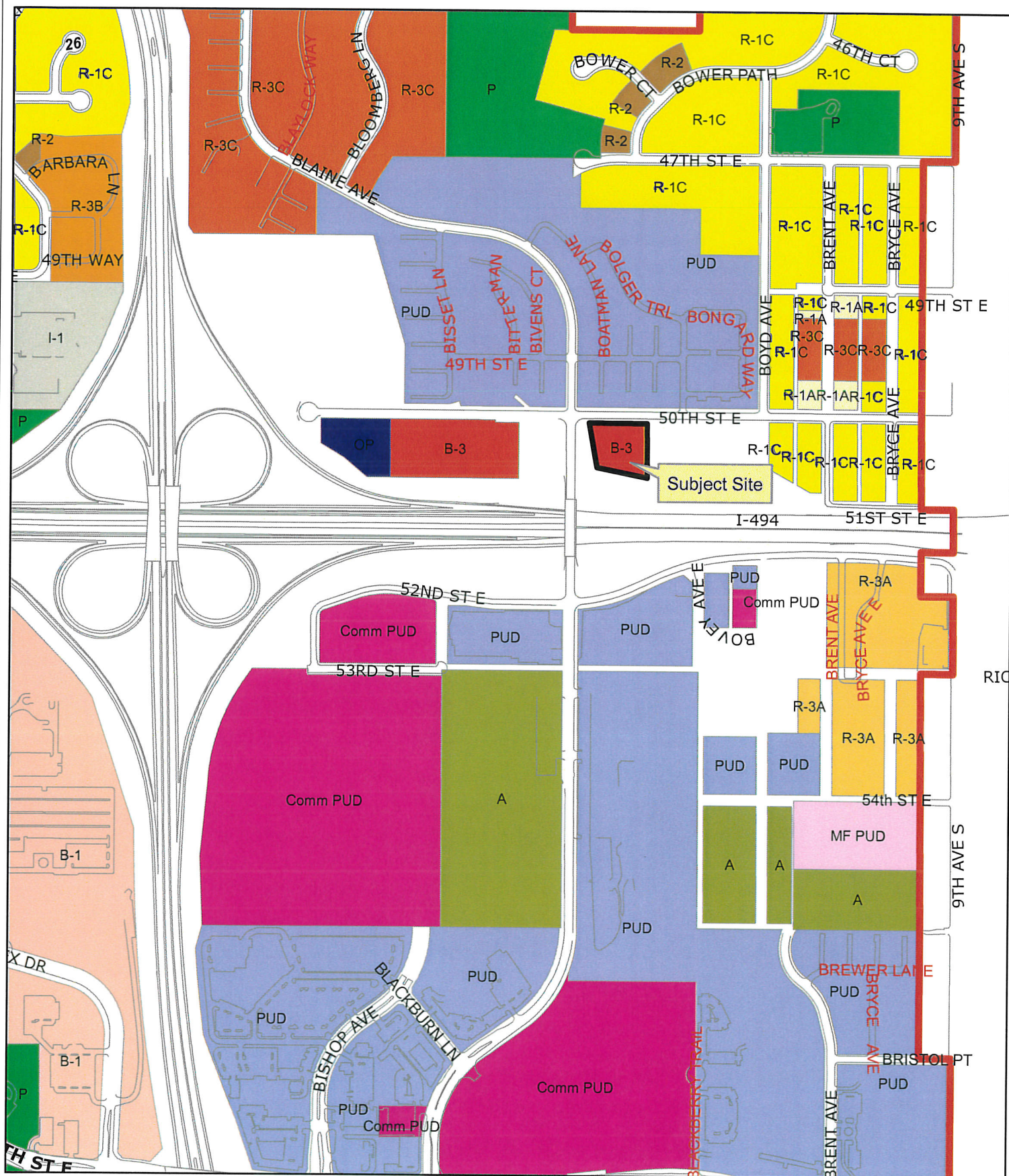
- B. **Denial:** Should the proposed request, or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

Staff recommends approval of the four part request with the conditions listed.

Attachments:

Location Map
Applicant Narrative
Site and Utility Plan
Grading Plan
Building Elevations
Landscape Plan
E-mail from Resident





DATE:
Wednesday,
July 22, 2019

TO:
Scott Solomonson
Living Space Landscapes

FROM:
Thomas Stromsodt, Project
Architect, Oertel Architects

RE:
Healing Garden
Phase 1-Garage
Design Narrative/Planning
Application Form

ATTACHMENTS:

-

Please see below for a brief outline of the project and a narrative description of the challenges, needs, and proposed justification as it relates to the requested variances.

Project Description

Intent:

The property at 2660 50th Street East, Inver Grove Heights, MN was purchased from the long-time homeowner with the intent of becoming a consolidated office/shop for the new owner's landscape design and installation business. In Phase 1, the existing garage will be torn down and replaced by a 3,200 square foot structure designed to accommodate the operation's (3) primary vehicles. The project also includes general maintenance/upkeep/and improvements to the existing wooded areas, as well as scope required to facilitate access, utilities, drainage, and vehicular circulation. As planned, all improvements to the property will be done in a similar character to the existing house which features brick, wood, and large window openings. Given the new owner's trade and expertise, the site will extensively feature the natural beauty of the surrounding trees, topography, and landscaping while using demonstration gardens to highlight inspiration and potential concepts for current and future clients.

Property Description:

The property is bordered by 50th Street East to north, Blaine Avenue to the west, and MnDOT right of way to the south and east. In general, the property is quite secluded due the existing wooded landscape and general elevation as it relates to the surrounding roads.

Scoping/Phasing:

The project will be broken into (2) general phases.

1. Construction of Garage/Shop
2. Renovation of existing home

Variances

As discussed with City staff, the property poses some challenges as it relates to the proposed scope of work.

Practical Difficulties:

There has been significant development adjacent to roadways, drain fields, and site since the original home was constructed. The property was owned and maintained by a single owner over this time and the use of the property has changed very little. In many cases, these changes have added to the unique character of the property. As the new owner tries to make the proposed improvements, there are a few technical challenges.

1. The west property line is set back over 125'-0" from the road. In addition, the site is 25'-0"+ lower than the adjacent road (Blaine Avenue). These two factors severely restrict the available buildable area. As such, the owner is requesting a side yard setback variance for the garage/shop. As designed, the building will still be roughly 100'-0" east and over 20'-0" lower than Blaine Ave., maintaining the lack of impact to the surrounding properties. In addition to these natural barriers, the entire operation is seasonal with little or no activity during the winter months.
2. The property is currently zoned B-3 (General Business) in the zoning code. The intended use of the property, "Contractor with Outdoor Storage", is not an allowed use in the zoning code. The owner is requesting a re-zoning of the property to I-1. Given the intended nature of the business and the direct access to materials afforded nearby (Gerten's, etc.); the owner does not plan to keep large quantities of vehicles or

materials in the yard. In addition, as discussed, setback distances and elevation changes at the property line will significantly reduce or eliminate the visual impact created by the incidental storage and delivery of small amounts of materials on-site. Overall, the business will be consistent with the surrounding land uses.

I-1 Requirements:

Lot area	1 acre
Lot width	100 feet
Front yard setback	40 feet
Side yard setback	40 feet
Rear yard setback	40 feet
Setbacks abutting E or R districts	
100 feet when abutting E or R districts	
50 feet when abutting R-2 or R-3 districts	
Height (maximum)	60 feet
Building coverage (maximum)	30 percent

(Ord. 1098, 11-8-2004)

10-11A-3: PERFORMANCE STANDARDS:

A. In general, the packaging, assembly or storage of any products or materials is permitted in the I-1 district, provided such use is not listed as a specific permitted use in the I-2 district or a specific conditional use in the I-2 district or a specific conditional use in the I-1 district.

B. Applicants for building permits in the I-1 district shall submit evidence as may be required by the building official to assure compliance with the performance standards. Should the building official have any doubt as to

the ability of any proposed use to meet the required standards, the matter shall be referred to the planning commission which shall make a recommendation to the council to grant or deny the application. (Ord. 1098, 11-8-2004)

10-11A-4: ADDITIONAL LOT REQUIREMENTS:

A. Fences And Hedges: Whenever an I-1 district abuts an R or E district, a fence or compact evergreen hedge not less than fifty percent (50%) opaque nor less than six feet (6') in height, except adjacent to a street, where it shall be not less than three feet (3') nor more than four feet (4') in height, shall be erected and maintained in the front corner of the lot along the side or rear property line that abuts the R or E district.

B. Setbacks: Whenever an I-1 district is across a street from an R or E district, the front or side yard adjacent to the street shall have a minimum setback of one hundred feet (100'). (Ord. 1098, 11-8-2004)

3. The current use of the site is Urban Single Family Residential. Per the 2030 Comprehensive Plan, this area has been identified as Community Commercial. I believe the intended use of the property is consistent with the stated goals of the plan which include provisions for private sector redevelopment, rehabilitation of existing buildings, reduced visual impact and buffers from abutting roadways, and providing necessary services for the residents of Inver Grove Heights. The owner is requesting a Comprehensive Plan Amendment to change the land use from Community Commercial to Light Industrial, consistent with the I-1 zoning request.



Conclusion:

In general, I believe that the planned improvements will help establish a thriving business within the City of Inver Grove Heights that will be run by a property owner who truly loves and respects the unique character of the property. Please write/call with any questions.

Thomas Stromsodt, AIA

Oertel Architects, Ltd.

CONSTRUCTION NOTES:
1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

LEGEND

EXISTING SANITARY SEWER	—>>—
EXISTING STORM MANHOLE	⊙
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	⊙
EXISTING WATER MAIN	— —
EXISTING GATE VALVE	⊕
TELEPHONE PEDESTAL	⊕
TELEPHONE CABLE	— —
TELEPHONE MANHOLE	⊙
FIBER OPTIC CABLE	— —
FIBER OPTIC HAND HOLE	⊕
OVERHEAD WIRES	— —
ELECTRICAL BOXES	⊕
GAS MAIN	— —
UTILITY POLE	⊕
GUY OR ANCHOR	⊕
STREET LIGHT	⊕
GUARD POST	⊕
SIGN	⊕
PROPOSED BITUMINOUS	▨
PROPOSED CONCRETE	▩

ELFERING & ASSOCIATES
10002 FLORENCE ST NE
BLAINE, MN 55449
PH: 763-700-0460

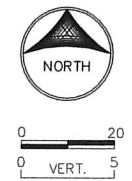
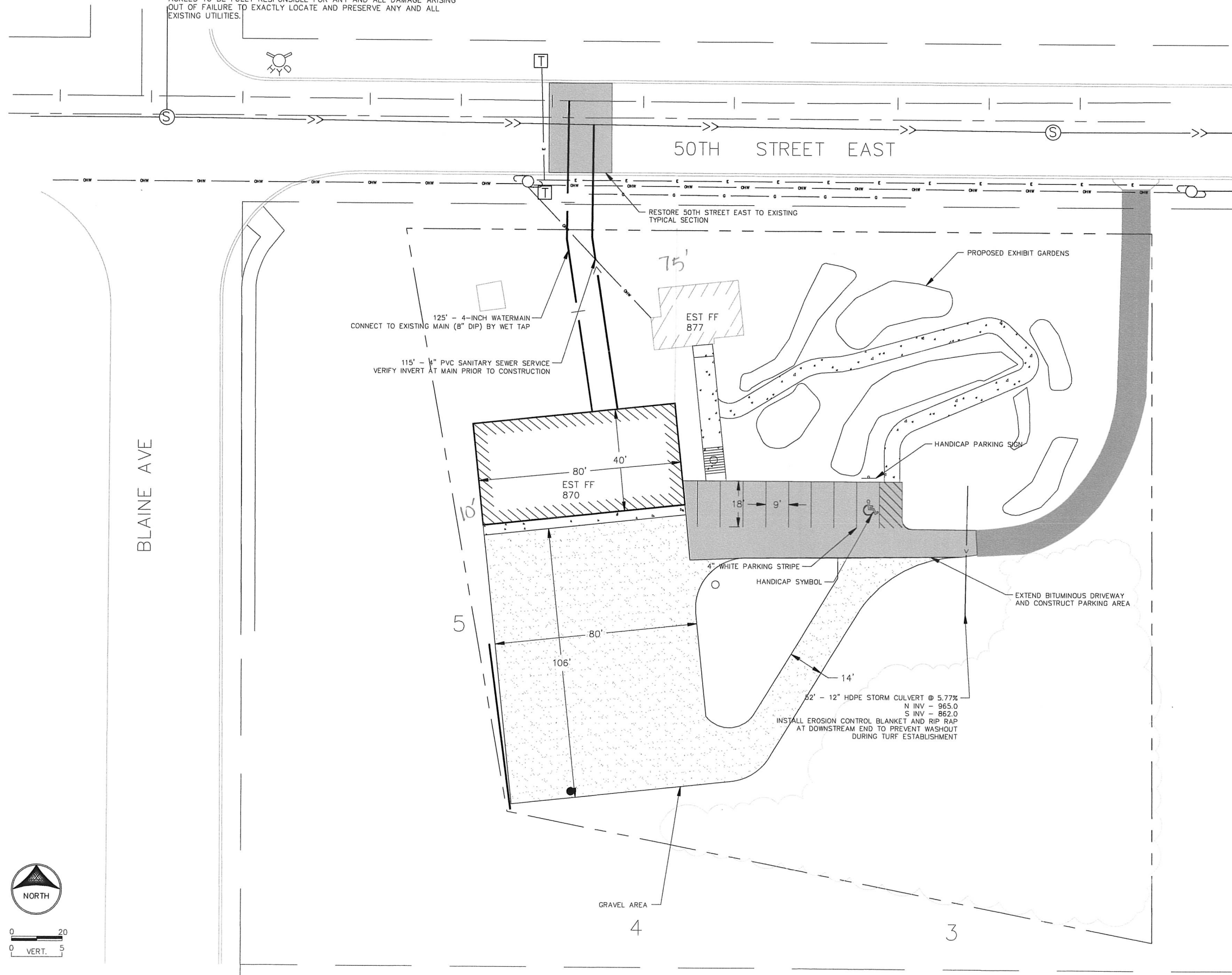
NO.	DATE	BY	REVISION DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT 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.
SIGNATURE: *Kristina Elfering* DATE: 7/1/19
PRINTED NAME: KRISTINA ELFERING LIC. NO. 42350

HEALING GARDEN REMODEL
2660 50TH ST E, INVER GROVE HEIGHTS
SITE AND UTILITY PLAN

DESIGNED BY: KJE
APPROVED BY: KJE
DRAWN BY: LWE
JOB NUMBER: 900058E
CAD DATE: 6/3/19
CAD FILE: GRADING PLAN

SHEET
C3.0



CONSTRUCTION NOTES:

1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
2. BLACK DIRT TO BE STRIPPED, SALVAGED, AND STOCKPILED FROM ALL AREAS TO BE DISTURBED PRIOR TO ANY GRADING.

INFILTRATION BASIN GRADING NOTES:

- NO EXCAVATION/GRADING EQUIPMENT SHALL TRAVEL WITHIN ANY OF THE INFILTRATION BASIN AREAS AT ANY POINT DURING SITE CONSTRUCTION
- EXCAVATOR SHALL USE A TOOTHED BUCKET (NO SMOOTH EDGE BUCKET) WHEN EXCAVATING AND GRADING INFILTRATION BASINS TO REDUCE SOIL SMEARING
- EXCAVATION OF INFILTRATION BASINS SHALL ONLY OCCUR IN DRY SOIL CONDITIONS TO PREVENT UNNECESSARY COMPACTION IMPACTS
- INFILTRATION BASIN INLETS AND ALL SIDE SLOPES SHALL BE STABILIZED WITHIN 24-HOURS OF FINAL GRADING OF ANY INFILTRATION BASIN
- COMPOST/SAND MATERIAL IN NORTH BASIN SHALL CONSIST OF 3 PARTS SAND (6") WITH 2 PARTS COMPOST GRADE 2 (4") UNIFORMLY MIXED PRIOR TO PLACEMENT. IT HAS BEEN ASSUMED THAT MIXING 6" OF SAND WITH 4" OF COMPOST WILL RESULT IN A DEPTH AFTER PLACEMENT OF 8" DUE TO COMPRESSION OF THE COMPOST.

LEGEND

EXISTING SANITARY SEWER	—>>—
EXISTING STORM MANHOLE	—●—
EXISTING STORM SEWER	—>—
EXISTING SANITARY MANHOLE	—(S)—
EXISTING WATER MAIN	— —
EXISTING GATE VALVE	—X—
TELEPHONE PEDESTAL	—□—
TELEPHONE CABLE	—(T)—
TELEPHONE MANHOLE	—(TM)—
FIBER OPTIC CABLE	—FO—
FIBER OPTIC HAND HOLE	—FH—
OVERHEAD WIRES	— —
ELECTRICAL BOXES	—[E]—
GAS MAIN	—G—
UTILITY POLE	—P—
GUY OR ANCHOR	—A—
STREET LIGHT	—SL—
GUARD POST	—GP—
SIGN	—S—
PROPOSED BITUMINOUS	—[B]—
PROPOSED CONCRETE	—[C]—



NO.	DATE	BY	REVISION DESCRIPTION

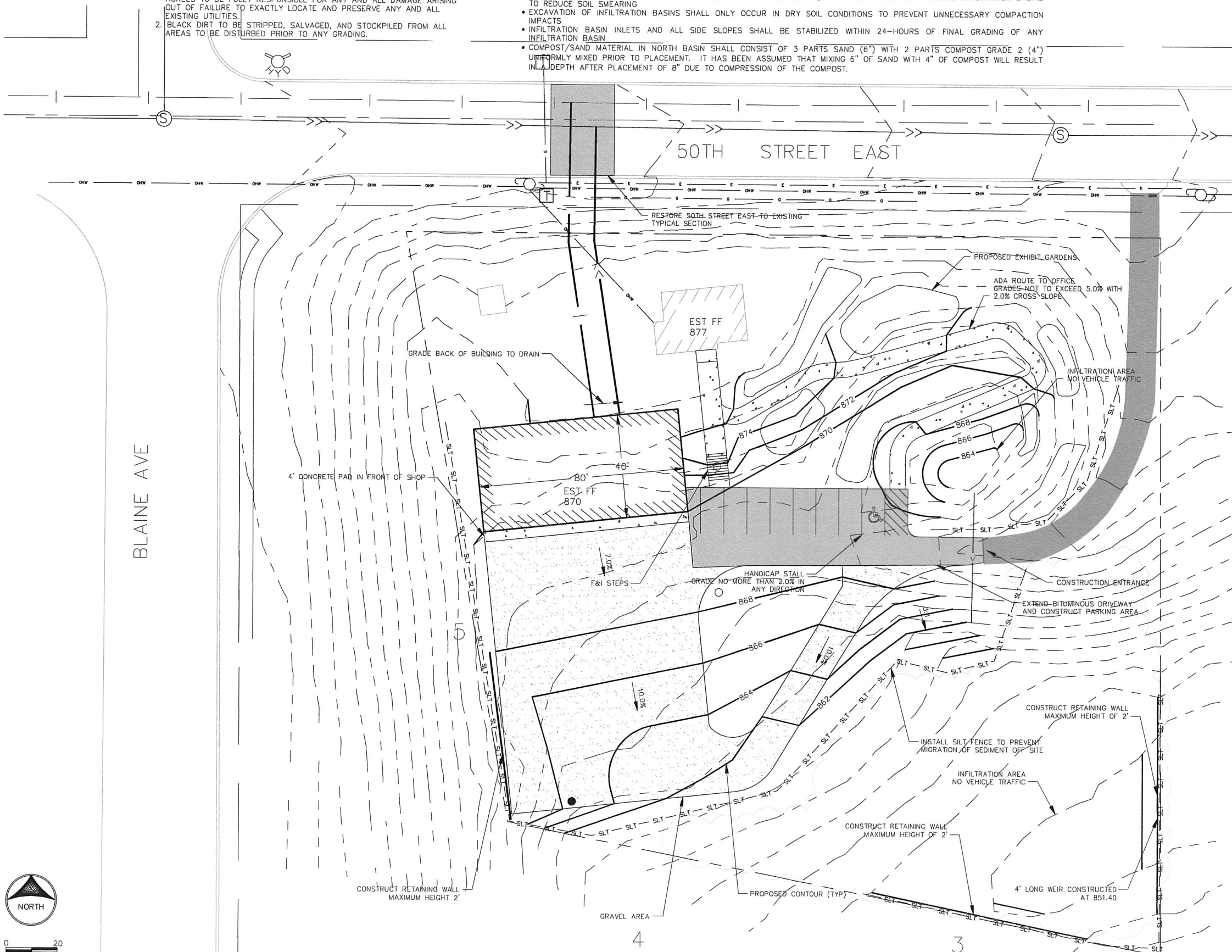
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

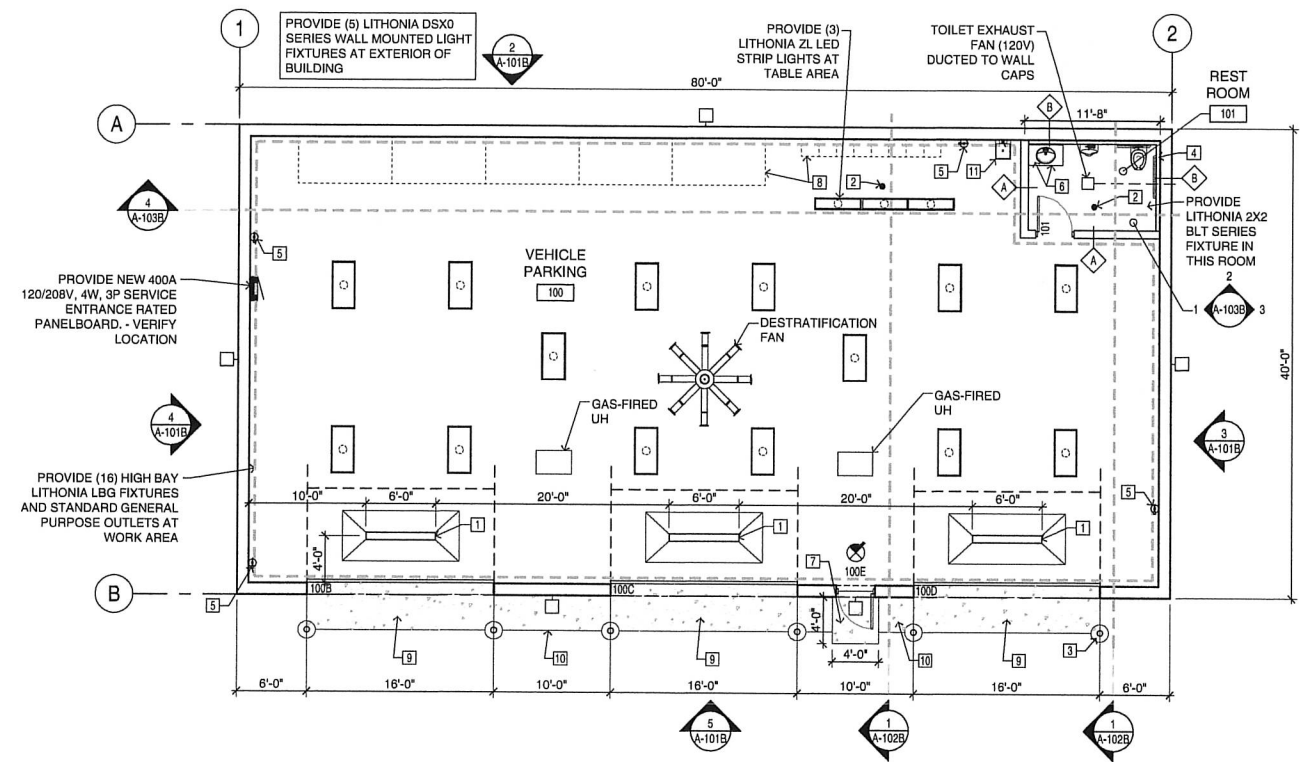
SIGNATURE: *Kristina Elfering* DATE: 7/1/19
 PRINTED NAME: KRISTINA ELFERING LIC. NO. 42350

HEALING GARDEN REMODEL
 2660 50TH ST E, INVER GROVE HEIGHTS
 GRADING PLAN AND EROSION CONTROL

DESIGNED BY: KJE
 APPROVED BY: KJE
 DRAWN BY: LWE
 JOB NUMBER: 900058E
 CAD DATE: 6/3/19
 CAD FILE: _/GRADING PLAN

SHEET
 C2.0





1 FLOOR PLAN
SHOP
1/8"=1'-0"

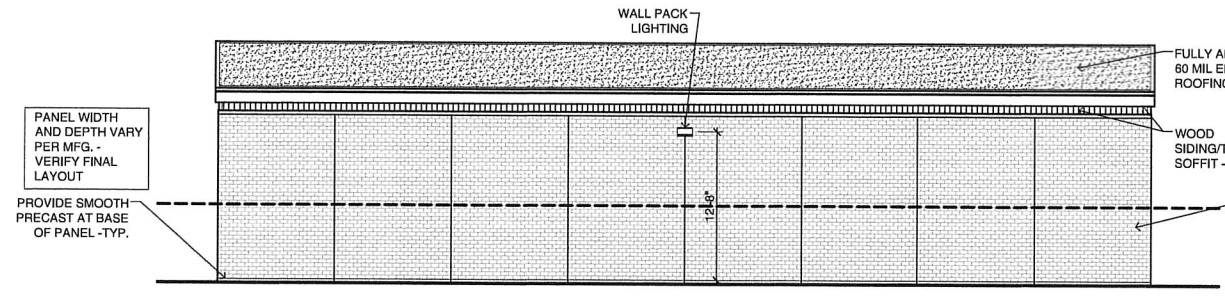
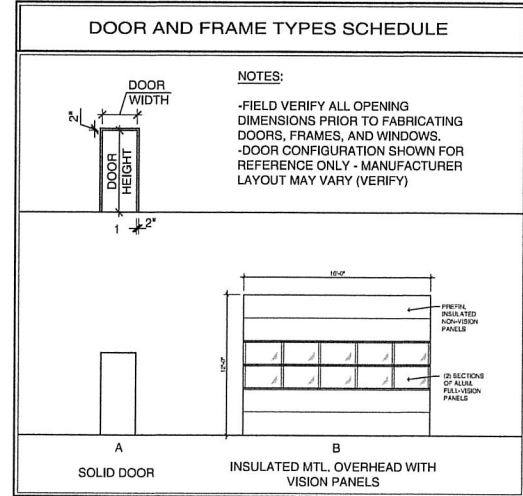
- FLOOR PLAN NOTES:**
- PREFAB. 6" POLY TRENCH DRAIN. COORDINATE PLACEMENT AND LOCATION OF OUTLETS
 - AREA DRAIN. PROVIDE 2'-0" DIAMETER PITCH POCKET AROUND DRAIN -SEE MECH.
 - CONCRETE FILLED 6" DIAM. STEEL PIPE BOLLARD (PAINT) - SEEX/A0.1 FOR MORE INFORMATION (TYP. OF 6 LOCATIONS)
 - PROVIDE GRAB BARS PER MN STATE ACCESSIBILITY CODE - SECTION 1341
 - WALL MOUNTED FIRE EXTINGUISHER
 - SOLID SURFACE COUNTER WITH DROP-IN SINK - PROVIDE ADA PIPE PROTECTION AT BELOW COUNTER PLUMBING CONNECTIONS
 - STRUCTURAL CONCRETE STOOP
 - EQUIPMENT FURNISHED BY OWNER
 - LENGTH OF DOOR X 8" DEEP CONCRETE APRON. SEE PLAN FOR WIDTH.
 - CONCRETE PAVING BETWEEN STOOP/APRON. SLOPE AWAY FROM BUILDING AT 1/4" / FT.
 - LAUNDRY TUB -PROVIDE FRP SURROUND UP TO 48" AT (3) SIDES OF SINK

- 8" EXTERIOR GYP. SHEATHING
- 2X6 STUD WALL FRAMING
- 8" GYP. SHEATHING
- 2X4 STUD WALL FRAMING
- 8" GYP. SHEATHING

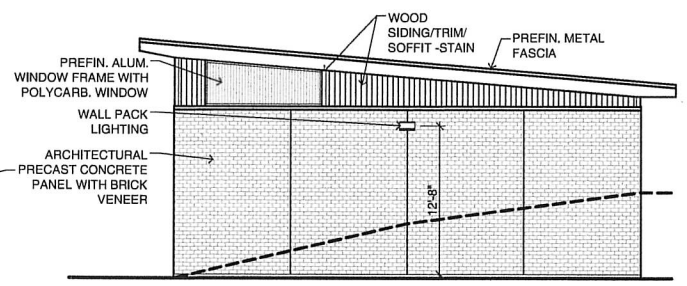
- BASIS OF DESIGN NOTES:**
- RECOMMENDED PLUMBING/RESTROOM FIXTURES AND EQUIPMENT:
- WATER CLOSET - AMERICAN STANDARD CADET PRESSURE-ASSISTED FLUSH TANK
 - LAVATORY - AMERICAN STANDARD AQUALYN DROP IN SINK WITH SENSOR FAUCET
 - WATER HEATER - A.O. SMITH PROLINE XE - DIRECT VENT
 - EXHAUST FANS - BROAN XB110
- RECOMMENDED DOOR HARDWARE:
- 01:
- | | | |
|-----------------------|----------------|-----|
| EA HINGE | AS REQUIRED | IVE |
| 1EA STOREROOM LOCK | ND80 | SCH |
| 1EA LOCK GUARD | LG | IVE |
| 1EA SURFACE CLOSER | 4050 SCUSH SRI | LCN |
| 1EA RAIN DRIP | 142 | ZER |
| 1SET WEATHERSTRIPPING | 429 | ZER |
| 1EA DOOR SWEEP W/DRIP | 8198 | ZER |
| 1EA THRESHOLD | 8655 | ZER |
- 02:
- | | | |
|-------------------|-------------------------|-----|
| EA HINGE | AS REQUIRED | IVE |
| 1EA CORRIDOR LOCK | L9456 L583-363 L283-722 | SCH |
| 1EA OH STOP | 905 | GLY |
- FUNCTION: L9456 (F13) CORRIDOR LOCK
- LATCHBOLT RETRACTED BY LEVER FROM EITHER SIDE. DEADBOLT THROWN OR RETRACTED BY KEY OUTSIDE OR INSIDE THUMBTURN. THROWING DEADBOLT LOCKS OUTSIDE LEVER. TURNING INSIDE LEVER SIMULTANEOUSLY RETRACTS DEADBOLT AND LATCHBOLT AND UNLOCKS OUTSIDE LEVER. OUTSIDE INDICATOR DISPLAYS "OCCUPIED" OR "VACANT" PLATE.

DOOR AND FRAME SCHEDULE

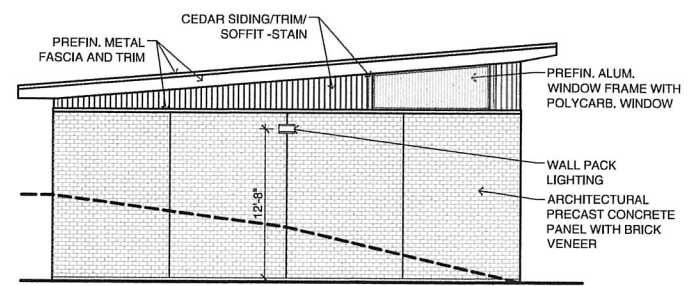
ROOM NO.	WIDTH	HEIGHT	THICKNESS	DOOR MATERIAL	DOOR TYPE	FRAME MATERIAL	FRAME TYPE	HARDWARE GROUP	FIRE LABEL	NOTES
100B	16'-0"	12'-0"	2"	STEEL	B	-	-	-	-	INSULATED O.H. WITH (2) ROWS OF FULL-VISION GLASS
100C	16'-0"	12'-0"	2"	STEEL	B	-	-	-	-	INSULATED O.H. WITH (2) ROWS OF FULL-VISION GLASS
100D	16'-0"	12'-0"	2"	STEEL	B	-	-	-	-	INSULATED O.H. WITH (2) ROWS OF FULL-VISION GLASS
100E	3'-0"	7'-0"	1 3/4"	H.M.	A	H.M.	-	01	-	
101	3'-0"	7'-0"	1 3/4"	H.M.	A	H.M.	-	02	-	



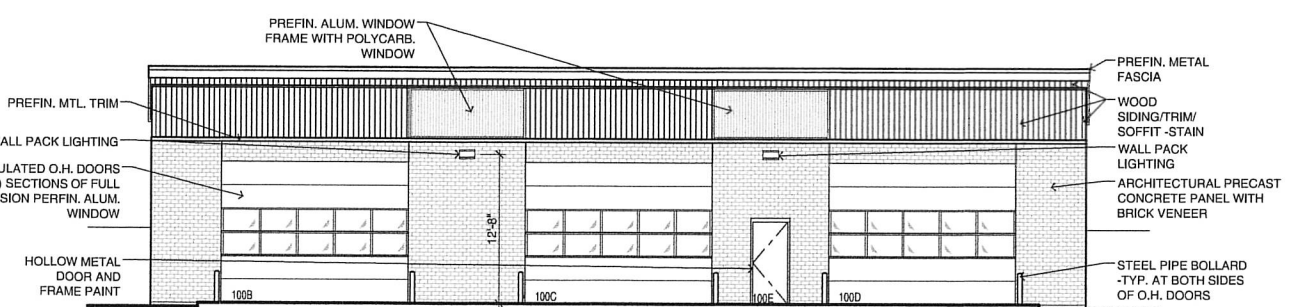
2 EXTERIOR ELEVATION
1/8"=1'-0"



3 EXTERIOR ELEVATION
1/8"=1'-0"



4 EXTERIOR ELEVATION
1/8"=1'-0"



5 EXTERIOR ELEVATION
1/8"=1'-0"

REVISIONS / ISSUE	DESCRIPTION	DATE	BY	REASON
1	SCHEMATIC DESIGN	OCTOBER 18, 2018		

PROJECT NAME:

HEALING GARDEN - PHASE 1 (GARAGE)
2660 50TH ST E, INVER GROVE HEIGHTS, MN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

THOMAS STROMSDOTT

DATE: _____ LIC. NO.: 48038

PROJECT NUMBER: 18-43

DATE OF ISSUE: JULY 22, 2019

DRAWN BY: MMP, TRS

CHECKED BY: TRS

SHEET NAME:

PLAN/SCHED./ELEVATIONS-SHOP

SHEET NO.:

A-101B



Qty	Plant Name	Plant Size	Plant Notes
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly
1	Black Knight Holly	4' x 4' x 4'	Black Knight Holly



Healing Garden Landscape

2600 50th Street E
Over Grove Heights, MN

client:
date: 8.8.19
drawn by: Scott S.
checked by:
drawing #:

Allan Hunting

From: Jason Nowak <Nowak46@msn.com>
Sent: Thursday, August 15, 2019 11:53 AM
To: Allan Hunting
Subject: Zoning Change

Mr. Hunting,

I am writing to you in regards to the Public Hearing Notice to property owners within 350 ft of 2660 50th St. I am absolutely opposed to the rezoning of the area from general business to limited industry. I do not want the land use changed and I am 100% opposed to allowing a contractors yard on the property.

I feel this would be an eye soar to the community and the land use needs to remain as is.

Please feel free to reach out with any additional questions.

Sincerely,

Jason Nowak
2530 49th Street E
Inver Grove Heights, MN 55076

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

CASE NO: 19-31PDA

APPLICANT: Gateway Christian Church

REQUEST: Arbor Pointe PUD Ordinance Amendment

HEARING DATE: August 20, 2019

LOCATION: 9079 Buchanan Trail

COMPREHENSIVE PLAN: RC, Regional Commercial

ZONING: Arbor Pointe PUD/CSC, Community Shopping Center District

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

An application has been received to amend the Arbor Pointe PUD Ordinance to allow churches to be added to the list of allowed uses in the CSC district. Currently, churches or places of worship are not allowed in the Arbor Pointe PUD.

The applicant would purchase the building and property and remodel the existing 6,972 square foot building to include a worship auditorium, classrooms and offices. The building would be used primarily for Sunday worship but would also have other evening church event use.

The applicant is requesting only an ordinance amendment at this time. If successful, site plan approvals would be required and would go through the public hearing process as well.

The commercial area of Arbor Pointe generally located along Concord Boulevard between Broderick Boulevard and Cahill Avenue has experienced a large vacancy rate with the closures of Rainbow Foods, Walgreens, Advanced Auto Parts and low vacancy in the retail buildings. Over the last couple of years, the area has experienced new activity with the Rainbow Foods building occupied by Intermediate School District 917, Dollar Tree moving into the old Walgreens and Inver Grove Brewing moving into the old Ruby Tuesday site. More businesses have moved into the strip center building along Buchanan Trail.

EVALUATION OF THE REQUEST

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

North - Commercial development; zoned CSC; guided Community Commercial.
East - Commercial development; zoned CSC; guided Community Commercial
West - Commercial development; zoned CSC; guided Community Commercial
South - Commercial; zoned CSC; guided Regional Commercial.

ORDINANCE AMENDMENT

The property is governed by the Arbor Pointe Planned Unit Development. It was approved with a master land use plan and ordinance. Each area was zoned a particular land use based on the plan. In this case, this parcel has been designated CSC since the PUD was approved in 1992. Any change to a land use requires an amendment to the Arbor Pointe Ordinance. The land use table for the CSC district currently does not allow for any type of church or worship use.

The property has been vacant since Advanced Auto Parts closed about 7-8 years ago.

With that in mind, Staff has prepared some bullet points suggesting pros and cons for the project:

PROS

- Project would fill a building that has been vacant for some time.
- There would be some investment in the building creating offices and worship space.

CONS

- Takes away possible commercial opportunities for a re-use of the building for other retail uses.
- Church ownership would make the property tax exempt.
- Intent of Arbor Pointe Ordinance appears to be designed heavily on retail and service oriented businesses to provide shopping opportunities for the Arbor Pointe residents and promote retail activity for all businesses in the area.

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 action should be taken:
- o Approval of An **Ordinance Amendment** to the Arbor Pointe PUD Ordinance #789 to allow “churches” as an allowed use within the CSC, Community Shopping Center District.
- 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

Churches were originally allowed as a permitted use only in the P district, but at some point, the code was changed to allow as a conditional use in the B-3 zoning district. There have been one or two churches that have located in existing multi-tenant commercial buildings. In those cases, the tax exempt issue did not apply as the land was still owned by a separate entity and the church only leased the portion of the building. In this case, the church would like to own the building, thus creating the tax issue. The applicant has indicated a willingness to work with the City to address the tax exempt issue.

Staff does not support the ordinance change based on the points raised above. If Planning Commission and Council support the request, staff would recommend the amendment be to allow churches as a conditional use in the Arbor Pointe CSC district. That way, all churches would be treated the same if located in commercial zoning districts and provides an opportunity for public comment and review as part of the conditional use permit process.

Attachments: Location Map
Applicant Narrative



Location Map

Case No. 19-31PDA





July 22, 2019

City of Inver Grove Heights
Attn: Allan Hunting, City Planner
8150 Barbara Ave
Inver Grove Heights, MN 55077

RE: Request for an Amendment to the PUD at
Arbor Pointe Planned Unit Development For:
Gateway Christian Church – 9079 Buchanan Trail

Gateway Christian Church is seeking a request for an Amendment to the PUD at Arbor Point Planned Unit Development to allow a church on this property. Gateway Christian currently has a purchase agreement on this site and is excited about this location for their new home

HISTORY NARRATIVE:

Gateway Christian Church was planted by God as a seed in Pastors Richard and Sarah Farrell, and Pastor Jeremiah and Katelyn Jones', hearts in early 2013. Upon meeting and discussing what God had placed in their hearts, they decided to move forward and start the process of planting a new church in the southern Twin Cities Metro area. Sunday, September 8, 2013 Gateway Christian Church was born. Our first service was held in Pastors Richard and Sarah Farrell's living room and 11 people attended. God has been blessing us greatly since that first Sunday. He has provided everything that we have needed to continue His work. Gateway moved from a living room to a retail space on Blaine Avenue in Inver Grove Heights. The space was 1,500 square feet and there was room for 50 people. We held our first Christmas Eve Service and Easter Sunday Service in that building, many lives were changed. God continued to move and it was becoming obvious that a new building was necessary. In July of 2014, Gateway moved to its current location on South Robert Trail in Inver Grove Heights. The larger space gave us a bigger worship space, a children's church room, nurseries, a youth room, a Sunday School room and offices. In January of 2019, we received notice that we would have to move out of our South Robert Trail Location.

PROPOSED USES:

The proposed plan for Gateway Christian Church on this site consists of remodeling the existing new 6,972 sf facility. The remodeled facility would include a lobby space as you enter the building, a worship auditorium, classrooms, administrative offices, as well as toilets, storage and utility spaces. The building would be used primarily on Sunday Mornings with 9:00am Christian Education and a 10:00am service and fellowship. Office hours would be kept during the week from 8 am to 5 pm. Holiday Services, Worship Nights, Community Meetings and Events, and other special services will be held in the building.