

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**TUESDAY, SEPTEMBER 3, 2019 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

- 1. CALL TO ORDER**
- 2. APPROVAL OF PLANNING COMMISSION MINUTES FOR AUGUST 7, 2019.**
Minutes from AUGUST 20, 2019 are not yet available and will be included with the next agenda.
- 3. APPLICANT REQUESTS AND PUBLIC HEARINGS**
 - 3.01 JAEGER CONSTRUCTION - CASE NO. 19-36CA**
Consider a conditional use permit amendment to add two additions onto the existing auto sales building. This request is for the property located at 4725 S. Robert Trail.

Planning Commission Action _____
 - 3.02 WILLIAM D. KRECH – CASE NO. 19-35SPD**
Consider a final plat and final PUD development plan for a 20-lot subdivision to be known as Amberwood. This request is for the property located at 2001 120th Street.

Planning Commission Action _____
 - 3.03 CITY OF INVER GROVE HEIGHTS - CASE NO. 19-37V**
Consider a variance to exceed the maximum size of a sign allowed in the P, Institutional zoning district. This request is for the property located at 8055 Barbara Avenue.

Planning Commission Action _____
- 4. OTHER BUSINESS**
- 5. ADJOURN**

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PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Wednesday, August 7, 2019 – 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: Armando Lissarrague
Elizabeth Niemioja
Pat Simon
Joan Robertson
Jonathan Weber
Tony Scales
Brett Kramer
Annette Maggi

Commissioners Absent: Dennis Wippermann (excused)

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

APPROVAL OF MINUTES

The minutes from the July 16, 2019 Planning Commission meeting were approved with one correction.

KYLE HANNAH – CASE NO. 19-29V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a detached accessory building to be located within the front setback requirement, for the property located at 1808 – 63rd Street. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property abuts 63rd Street on the front and Babcock Trail along the back. The applicant would like to construct a 576-square foot garage 16.6 feet from the property line along Babcock Trail whereas 40 feet is required. The existing house is setback 21 feet from the property line along Babcock Trail and is considered a legal non-conforming use. Additionally, the site does not have an attached or detached accessory building and the property has topographical challenges that limit the area an accessory building could be constructed without moving a lot of earth. Staff does not support the 16 ½ foot setback being requested but would support a 21-foot setback based on the current established setback of the home. Staff recommends approval of the 21-foot setback with the two conditions listed in Alternative A.

Chair Maggi asked if staff's recommendation for a 21-foot setback was discussed with the applicant and, if so, was he agreeable.

Ms. Botten replied that it was discussed with the applicant, but Mr. Hannah preferred to move forward with his proposed location.

Commissioner Robertson asked for clarification of the right-of-way.

Ms. Botten replied that the property line is 30 feet from Babcock Trail. The applicant is requesting

to build a garage 16.6 feet from the property line, or approximately 46 feet from Babcock Trail.

Commissioner Weber asked why the subject property had a larger right-of-way than many of the neighboring properties.

Ms. Botten stated the right-of-way was likely taken by the County or City during platting process. Even though it appeared as if some property lines went to the center of the road, there would still be an easement.

Opening of Public Hearing

Kyle Hannah, 2942 Union Ave S, Minneapolis, advised that he was available to answer any questions.

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

Mr. Hannah replied in the affirmative. He advised that he wants to construct a 24' x 24' garage that is even with the front of the home, which is why he is requesting to be 16.6 feet from the property line. He asked if there was any reason this would not be approved.

Chair Maggi replied that from a planning commission perspective the challenge is always to find a practical difficulty because of the rules they are bound by. She noted that City Council; however, has more latitude.

Commissioner Simon asked if the small outbuilding shown on the Dakota County website has been removed.

Mr. Hannah replied in the affirmative, stating he demolished the small shed.

Ms. Botten advised that the photo was from 2017 and the 10' x 10' structure has since been removed.

Commissioner Robertson noted that tree removal was being done elsewhere on the property and asked if there were any other projects taking place on the property.

Mr. Hannah replied that no additional buildings were being constructed, just landscape improvements.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi asked if anyone could define a practical difficulty.

Commissioner Niemioja believed the topography to be a practical difficulty, in addition to the fact that you would not necessarily want to attach a garage to the historical home.

Commissioner Scales agreed that topography was a practical difficulty.

Commissioner Niemioja did not believe there was much difference between 16.6 feet and 21 feet in terms of any obstruction of visual traffic on Babcock.

Commissioner Scales asked Ms. Botten the reason for staff recommending 21 feet versus 16 ½ feet.

Ms. Botten replied that 21 feet was an established setback that was grandfathered in with the existing house.

Commissioner Robertson asked how the garage would be impacted if they removed five feet to meet the 21-foot setback.

Commissioner Scales replied it would make it unusable.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Scales, to approve the request for a 16 ½ foot variance to allow a detached accessory building to be located within the front setback requirement, for the property located at 1808 – 63rd Street, with the conditions listed in the report and the practical difficulty being the topography.

Motion carried (8/0). This item goes to the City Council on August 12, 2019.

UNITED PROPERTIES – CASE NO. 19-28PDA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a planned unit development amendment to amend certain conditions from the approved Inverpoint Business Park PUD relating to changes to hours of operation and landscape plan, for the property located between Courthouse Boulevard and Highway 55, west of Barnes Avenue. 29 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that in 2007 Council approved a preliminary plat and PUD for a three lot, five building industrial office park building complex. In 2008 the City approved a final PUD for Phase 1 consisting of a one lot, two building 200,000 square foot office/warehouse. The grading and utilities were completed but no building has yet occurred. United Properties is now proposing to continue with the development of Phase 1, but are requesting some modifications to the approved conditions in order to make the site more palatable to tenants. The changes they are requesting include 1) the hours restricting the idling of engines and hours of deliveries be changed from 8 PM-7 AM to 10 PM to 6 AM, 2) Condition 31 limiting use of the building overnight be removed, 3) a re-wording of Condition 34 to be more specific that truck terminals are not allowed, 4) to add additional trees along the front of the property to enhance and screen the project, some of which would be planted in the right-of-way of Courthouse Boulevard, and 5) regarding Condition 6 of the preliminary PUD approval which states a trail MAY be installed after the first 200,000 square feet of the project is occupied, United Properties is now proposing to pay for and construct the trail along the south side of Courthouse Boulevard. Staff supports the changes as proposed.

Commissioner Niemioja asked if City sewer and water would expand beyond this point.

Mr. Hunting replied it would not.

Commissioner Kramer asked if other cities had restrictions on hours of operation.

Mr. Hunting replied he was not sure but was not aware of other businesses in the City that Council had placed restrictions on.

Commissioner Simon thought there were other businesses that had restrictions placed on them regarding hours of operation, including Simon Delivers, because of their proximity to homes.

Mr. Hunting replied that perhaps things changed over time, but he recalled there initially not being any restrictions on Simon Delivers.

Commissioner Niemioja stated her understanding was that State Statute 7030 defines nighttime as 10 PM to 7 AM. In looking at past minutes from 2017, it appeared that the Planning Commission preferred not to have businesses operate before 7 AM.

Opening of Public Hearing

Brandon Champeau, Vice-President of United Properties, 651 Nicollet Avenue Mall, Minneapolis, advised he was available to answer any questions.

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

Mr. Champeau replied in the affirmative. He advised that they have built a lot of this type of product in the Twin Cities in the last five years and have continued to wait for something to happen here. The consistent challenge they have run into has been over the onerous language they agreed to 12 years ago. Many companies have been interested in the site but have backed off because of the hour restrictions. Many companies would not have an issue with the hour restriction, however, once in a while companies need to run multiple shifts or keep people late. Hour restrictions could result in violations of a lease if a tenant stays open for too long, which means technically they could be kicked out of the building and it could negatively affect their ability to get financing.

Chair Maggi asked what types of businesses they anticipated.

Mr. Champeau advised that the clear height is what typically determines the type of tenant that will move into a building. They are proposing a 24-foot clear height type of product which attracts office manufacturing with perhaps a smaller warehouse component. Examples of the types of tenants they have done work with in this type of product are door manufacturers, lip balm manufacturers, media companies, medical device companies, and technology firms. Most of the companies they put into buildings like this have 1.5 to 2.5 jobs per 1,000 square feet, so generally speaking 150-250 jobs for each 100,000 square foot building.

Commissioner Niemioja agreed that the current hours of operation were too constrictive and asked the applicant how he would feel about moving the start time from 6 AM to 7 AM.

Mr. Champeau stated he would prefer to keep it at 6 AM to align more with competing cities. If a tenant needs to open early it would be helpful to have some sort of agreement with them that they are allowed to do that at certain times of the year, such as a busy season. Often when they are competing for a deal they are up against multiple cities and hour restrictions will often cause tenants to go to other cities.

Commissioner Robertson struggled to understand why employee activity would happen in the building past 10 PM.

Mr. Champeau stated that he rarely sees companies that run a 24-hour operation in this type of facility; however, not having the option to stay open later during a busy season is a deal breaker. He stated they have been trying for 12 years to find buyers or tenants for this property but if there is a restriction in place that the owner does not have to deal with elsewhere it is a non-starter. If they cannot provide what these companies are getting elsewhere they have to rethink what this site is and consider other uses.

Commissioner Robertson asked if the applicant believed the established operating hours to be the primary reason for potential tenants not being interested in this site.

Mr. Champeau replied in the affirmative.

Commissioner Simon asked the applicant if their properties in other cities were as close to residential as they were at this location.

Mr. Champeau replied that the residential homes were probably closer at this location than typical. In Mendota Heights they were right next to a hotel. The hotel was very concerned because the truck area was facing the hotel, but they have had no issues there. He stated industrial office warehouse can be a good neighbor compared to other uses as they typically close at 5 or 6 PM and are closed on weekends.

Chair Maggi asked how long the property had been zoned for Industrial Office Park.

Mr. Hunting replied that the zoning was likely changed in 2007 but it was guided for Industrial Office Park since at least the late 1990's.

Jerry Bretoi, 8365 Courthouse Boulevard Court, advised that he lived directly across the street from the subject property and did not have a problem with the development. His biggest concern was the truck traffic but he felt that had been addressed by requiring that trucks use the easternmost entrance rather than the other two access points. He was concerned about allowing employees to work in the building until midnight because of the noise generated by their cars as they are leaving to go home. He stated signage needed to be installed to prohibit truck traffic from using Annalisa Path. Another concern is that most of the road has a concrete base. It recently got sealcoated and is already bumpy. He did not see any reason for installing lighting on the proposed trail and suggested that it be constructed on the north side of the Orchard Trail development rather than on Courthouse as it would be safer and he believed the residents there would be more likely to use it. He stated that his understanding back in 2008 was that the original agreement with United Properties could not be opened up again after it was settled.

Chair Maggi clarified that the only changes on the table this evening were the landscaping, pedestrian trail, and hours of operation.

Mr. Bretoi stated the main concession the residents had in 2008 was the hours of operation. He would have liked to see the project completed by now so when they want to sell people would know what they were getting rather than what it might be. He hoped the trail was kept within the existing easement and not encroach into the residents' front yards. He believed the easement was 80 feet from center of road on the south side and 40 feet on the north side. He did not think noise would be a problem as the proposed building would act as a buffer from the trucks backing up because the loading docks were on the inside.

Mr. Hunting advised that he did not have a drawing with him showing the exact easement dimensions.

Jeff Johnson, 8690 Ann Marie Trail, stated there should be signage prohibiting right turns out of the development and 'Local Traffic Only' on Annalisa Path and Ann Marie Trail. Even with the signage he thinks semi's will cut through his neighborhood. He was concerned about the employees driving through his neighborhood as well, especially if the hours are extended, stating cars have often gone off the road. The proposed sidewalk basically goes to nowhere as it ends at the property line and it would be difficult to cross Courthouse Boulevard because of the truck traffic.

Paul Hark, 8119 Courthouse Boulevard, made a couple suggestions for making the project more palatable for the people who live in the neighborhood. He asked the City to do everything it could to keep traffic from coming off Highway 3 and cutting through on Ann Marie Trail. Two actions he recommended were to post signage on Highway 3 stating 'No Access to Inver Pointe Business Park' and also to add barriers on the right-in left-out accesses along Courthouse Boulevard to force drivers to the east. He was not opposed to the development but wanted to make sure it was done with respect to the neighborhood. In regard to Condition 32, Mr. Hark asked if the mill and overlay of Courthouse Boulevard that was done several years ago was at a 9-ton spring loaded rating. He noted that the semi-trucks would likely do a fair amount of damage to the road over a period of time and asked if the residents would be assessed for that.

Mr. Hunting replied that would have to be answered by the Public Works Director.

Mr. Hark asked Mr. Hunting to pass that question on to Scott Thureen. He hoped that the developer would compromise some on the hours of operation out of respect for the neighborhood.

Commissioner Niemioja asked Mr. Hark his thoughts on the proposed hours.

Mr. Hark stated he did not live next to the development but would not want to be woken up at 6 AM; however, he believed there should be some kind of compromise.

Greg Lafrance, 8646 April Court, was opposed to the proposed hour of operation changes. He found it hard to believe that other industrial developments did not have restricted hours of operation, especially when next to residential. He stated there was quite a battle with the original approval in 2007 and a compromise was reached on the hour restrictions. His biggest concern is the noise and speed of vehicles accessing this site. He already is affected by the Wagner Sod traffic and this would just increase it. He would prefer they retain the existing hours of operation.

Steven Peterson, 2019 - 86th Ct E, purchased his house in Orchard Trail in 2010. Generally he was in support of this project. He agreed that this new development would benefit the community and local retailers, however, the people that live in the neighborhood are going to take the brunt of the noise and associated nuisances from the truck traffic. Because of the fairly steep grade going up towards Barnes Avenue there will be a lot of engine braking and noise. He suggested a sound barrier be installed to help eliminate the noise and he showed various designs, heights, and configurations of sound walls.

Chair Maggi asked if Mr. Peterson believed that the neighbors would prefer a physical barrier because she would guess they would not want that.

Mr. Peterson stated he had no idea if his neighbors would want a barrier or not, but he was proposing it to help mitigate the noise.

Commissioner Robertson questioned whether Wagner Sod had hour restrictions and asked Mr. Peterson if the Wagner trucks came by before 7 AM.

Mr. Peterson replied that their business is seasonal so it's worse in the summer but he believes there are trucks hitting the road before 7 AM.

Unknown man in audience stated that Wagner's website lists their hours as 8 AM–5 PM.

Chair Maggi stated that crews could potentially leave earlier to get to the jobsite.

Mr. Peterson stated that he checked the noise levels at a similar site in Woodbury and the sound

barrier made a big difference in noise.

Rami Derphy, 8304 Annalisa Path, stated the base of Courthouse Boulevard is deteriorated and continues to fall apart. Annalisa Path all the way to Robert Street is also falling apart and any additional traffic will destroy the road. He urged the City to take that into consideration as residents would have to pay for it. He purchased his lot when the subject property was a farm and he wanted to live in a quiet neighborhood. In 2007 that was changed, however, and a compromise was reached. He asked United Properties to respect the neighborhood by retaining the existing hours of operation. They may make less money by having more restrictive hours but it is the right thing to do for the neighborhood.

Commissioner Lissarrague asked Mr. Derphy when he purchased his house.

Mr. Derphy replied 2000.

Michael Daddario, 8235 Courthouse Boulevard, stated he was speaking on behalf of his parents, who have lived here since 1984. He does not have a problem with the development but was concerned about trucks, noise, and the number of employees. Courthouse Boulevard has been repaired twice but continues to break down. His biggest concern is the traffic as a whole. The first phase may only be a small amount of people and trucks, but eventually there will be two additional phases. This will be a safety hazard due to Courthouse being curved and having steep elevation changes. He hoped that residents would not be responsible for the cost of fixing the road. In his opinion putting 'Do Not Enter' signs will not stop employees from using Ann Marie Trail and Annalisa Path to get to Robert Street. He does not feel that the bike path should go on the residential side, especially since the existing homes are not at grade. He would prefer it be on the north side of Courthouse Boulevard and he questioned whether it was even needed. If all the phases are built, he thinks they will have to somehow make a second entrance/exit to defer traffic from Ann Marie and Annalisa.

Commissioner Niemioja asked if the traffic change had already been discussed with MNDOT in 2007 and determined not to be needed.

Mr. Daddario replied he believed so, but the City or County would have to make a decision if the business ends up dictating a great increase in traffic.

Jennifer Gale, President of River Heights Chamber of Commerce, stated her Board supports the proposed PUD amendment and were in support in 2007 as well. She advised that in 2007 United Properties did not agree to the hour of operation limitations prior to going to Council that night. After listening to the neighbors City Council recommended the hour restrictions and United Properties agreed to try it. It has not worked; however, and the property has remained vacant for 12 years. The land is zoned for this type of development and it is important to keep being a diversified economy. The last couple customer service surveys that residents filled out showed that they wanted more business. The City needs jobs here to support the existing restaurants and retail businesses. It will also bring in a lot of property tax revenue that can be used for roads, infrastructure, and services throughout the City. The Chamber of Commerce hopes the Planning Commission will support this request.

Ben Davidson, 8453 Courthouse Boulevard, stated that he supported the building plan but hoped that residents would not have to pay for road repair since it would be United Properties that was destroying it. He asked for clarification on what hours were being proposed.

Commissioner Simon replied 6 AM to 10 PM.

Mr. Davidson stated those hours would not necessarily impact him but may affect his neighbors. He stated he had a culvert in his front yard right-of-way and was concerned about where the water would go if the proposed walking trail was installed. Likely it would end up farther into his yard and could freeze the bottom of his driveway in the winter. He assumed the tenants would most likely be the ones using the trail and he would prefer it be on the north side of Courthouse Boulevard. He thought the buildings were designed well; however, and would likely block some of the highway noise. He preferred this project rather than a residential townhome development. He questioned how they could enforce the hours of operation as a City or a landowner.

Mr. Bretoi stated the biggest issue semi's will have leaving the site is turning left from Courthouse Boulevard to Barnes as there is a sharp curve and a 6% grade. Taking the corner too fast will result in the trailers leaning. Employees will likely drive too fast on Courthouse but hopefully United Properties will ask them to slow down in this residential area. He believes that the trucks idling will create less noise than that of Highway 55.

Nancy Stanton, 8459 Courthouse Boulevard, stated she lived across from the proposed buildings and supported the request. She does not have a problem with the proposed hours of operation, stated that United Properties kept the neighborhood well informed, they have a good reputation as a developer, and she did not care which side of the road the walking trail was on. Traffic is a bit of a concern, however. Wagner's has been a very good neighbor and when their employees drive too fast, he slows them down if you call and complain. She asked if the trail would go all the way down Courthouse Boulevard.

Mr. Hunting replied it would not, just in front of the United Properties property.

Ms. Stanton stated there was no point in constructing a trail if it did not go all the way down Courthouse.

Commissioner Scales asked if the City determined the location of the walking path.

Mr. Hunting was unsure who made the decision but noted that Condition 6 references the trail being built on the south side.

Commissioner Scales asked if the Planning Commission needed to address that tonight.

Mr. Hunting replied in the affirmative, stating the existing condition states the City MAY install a trail along the south side after the first 200,000 square feet is occupied. The applicant is now proposing to pay for and construct the trail right away.

Commissioner Scales asked if Commissioners could recommend that the trail not be built.

Mr. Hunting replied they could recommend that the condition stay as is to remain MAY as opposed to WILL.

Commissioner Scales asked the applicant their reasoning for building the path at this time.

Mr. Champeau replied it was in response to comments they received at the community meeting they hosted last fall. The neighbors expressed safety concerns about the increase in traffic, so they offered to provide a bike path.

Chair Maggi asked the history of why it was proposed on the south side versus the north.

Mr. Champeau did not recall.

Ms. Gale stated it was requested by the residents.

Commissioner Robertson noted that today; however, many residents are saying they do not want a sidewalk on the south side.

Commissioner Scales stated his reason for asking was to make sure they were not moving forward with something that neither the residents nor the applicant wanted.

Mr. Champeau stated he would have to check with his civil engineer on the cost impact, but they would probably be fine with having the path on the north side of the road. Since the proposed trail would not be connected to a larger trail system, he would be agreeable to waiting to see if the tenants were wanting it installed.

Commissioner Robertson asked if the proposed location was on the south side of Courthouse because United Properties does not want to give up land on their own property for the trail.

Mr. Champeau replied that if the residents do not want to use the trail his preference would be to install the trail on the north side.

Commissioner Weber stated they should be careful on changing Condition 6 as the developer was willing to pay for the trail versus the City.

Mr. Hunting clarified that the developer would pay up to \$175,000 for the trail no matter when it was built.

Commissioner Lissarrague asked the applicant how many vehicle trips he anticipated.

Mr. Champeau replied it was hard to say as it depended on the type of use and the tenant.

Commissioner Lissarrague asked when construction contractors were allowed to start work.

Mr. Hunting replied he was unsure whether this was a written or unwritten rule, but typically 7 AM.

Mr. Bretoi believed the discussion in 2008 referenced up to 1,000 trips a day.

Mr. Peterson stated he was familiar with this type of commercial product and agreed that it was hard to make traffic predictions; you could get a tenant with 100% finished offices and lots of employees and parking or minimal office space with essentially a truck terminal.

Mr. Lafrance stated currently there is a high demand for warehouse space. That, in addition to the Viking facility and major corridors, is turning Inver Grove Heights into a shipping location which is not what he thinks the City wants to be known for.

Commissioner Niemioja asked what the speed limit was on Courthouse Boulevard.

Mr. Hunting replied 45 MPH.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi stated the challenge is that everyone wants development in the City but not in their

neighborhood. She believes the Commission's role is to try to look at the bigger picture and make a decision based on that. Residents want more restaurants and shopping which requires higher density and more employment.

Commissioner Simon questioned whether the removal of Condition 31 regarding use of the building overnight should be lumped in with Conditions 29 and 30 regarding truck idling and delivery hours.

Chair Maggi believed they were different and clarified that removing Condition 31 did not mean that deliveries could be made all night.

Commissioner Scales had no issues with the proposed re-wording of Condition 34, no issue with the removal of Condition 31 to allow people to come into their office off hours, and he thought the proposed hour restriction for idling and deliveries from 10 PM to 6 AM were reasonable. He also had no issues with the additional landscaping being proposed but suggested leaving the condition regarding the pedestrian trail as is to state that it MAY be installed rather than WILL.

Commissioner Lissarrague believed that 6 AM is too early for truck noise in a residential neighborhood. He wants to see commercial growth but not at the cost of the citizens.

Commissioner Scales stated the problem is that cities around us do not have these restrictions. When businesses have a choice of going to a city where there are fewer restrictions, even though they may seem minor, they will go to those other cities. Unfortunately there are restrictions like this scattered throughout Inver Grove Heights.

Commissioner Lissarrague agreed with Commissioner Scales on all the requests except he would prefer a 7 AM start versus 6 AM.

Chair Maggi stated the challenge is that there are a lot of businesses throughout the City bumped up against residential areas that are open 24 hours or early in the morning and late at night (i.e. gas stations, The Grove, etc.). She does not want this treated differently from those other businesses.

Commissioner Lissarrague said if they asked those neighbors though they would likely not be happy with the situation.

Commissioner Scales noted that Wagner Sod right down the road does not have restricted hours.

Commissioner Lissarrague stated but he does not run his trucks in the middle of the night.

Chair Maggi stated it did not matter; the point was that he was allowed to do so and anyone buying the business could as well.

Commissioner Niemioja stated that nighttime is statutorily defined as 10 PM to 7 AM. Also, noise is pollution and many cities in the metro have city code with residential restrictions from 10 PM to 7 AM. She noted that they have put hour of operation limitations on other businesses in the past. In her opinion the original conditions were too restrictive and she agreed with the proposed changes, except for having a 7 AM start rather than a 6 AM start.

Chair Maggi asked Mr. Hunting if he had stated earlier that it is atypical for the City to put these types of restrictions on a business.

Mr. Hunting replied that it was not typical for City Council to impose hours of operation.

Commissioner Niemioja advised that in 2017 it was stated that the City typically has start times of 7 AM in areas abutting residential properties. This was stated in the minutes regarding a request from Bituminous Roadways. In that instance Commissioners did not have an issue with allowing trucks idling at 6 AM because it was not in a residential area.

Commissioner Scales stated in the case of Bituminous Roadways, the applicant also did not have a problem with set hours.

Commissioner Weber stated the Commission also put hour restrictions on a trailer facility.

Commissioner Robertson noted that they also put hour limitations on a business along Concord Boulevard.

Commissioner Weber asked if they could perhaps reduce the speed limit on Courthouse Boulevard to abate some of the noise.

Mr. Hunting replied that according to the Public Works Director MnDOT determines the speed limits; the City cannot establish its own speed limits that are not consistent with MnDOT standards.

Commissioner Weber asked if there was an assessed value differentiation between residential industrial property.

Mr. Hunting stated he was unsure.

Commissioner Weber asked if potential tenants would have to come before the Planning Commission.

Mr. Hunting replied they would not have to come before the Planning Commission if they were proposing a permitted use; only if it was a conditional use.

Commissioner Robertson commended everyone for their input, stating what she heard from the neighbors was that everyone wants this to succeed but that it should be done respectfully. She believed that truck traffic should have limitations out of respect for the neighborhood. She struggled to believe that most tenants would not locate here if they could not start at 6 AM. She recommended there be strong specific signage prohibiting traffic through the abutting neighborhood and that the exits be designed to force traffic towards Barnes Avenue.

Commissioner Lissarrague asked Commissioner Scales for clarification of his recommendation.

Commissioner Scales replied that he supported the applicant's request, including a 6 AM start time for trucks.

Chair Maggi asked for a show of hands on who wanted a 6 AM start and who preferred 7 AM; the result was 4-4.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Lissarrague, to approve changing the restricted hours of operation on Conditions 29 and 30 from 8 PM - 7 AM to 10 PM - 7 AM.

Commissioner Kramer stated he understood the concerns with semi-traffic but believed that companies with round-the-clock truck traffic would choose not to go into this space because of the restrictions and ingress/egress configuration and would naturally flush themselves out.

Motion failed (4/4 – Weber, Maggi, Scales, and Kramer)

Motion by Commissioner Scales, second by Commissioner Kramer, to approve changing the restricted hours of operation on Conditions 29 and 30 from 8 PM – 7 AM to 10 PM – 6 AM.

Commissioner Weber asked if they should make a motion that Commissioners were all in agreement on the 10 PM change but were split on 6 AM versus 7 AM.

Commissioner Simon noted that Council would see that in the first motions.

Motion failed (4/4 – Niemioja, Robertson, Simon, and Lissarrague)

Motion by Commissioner Weber, second by Commissioner Scales, to remove Condition 31 and modify the language of Condition 34 to clarify that truck terminals shall not be allowed.

Motion carried (8/0)

Motion by Commissioner Weber, second by Commissioner Robertson, to approve the modified landscape plan.

Motion carried (8/0).

Motion by Commissioner Weber, second by Commissioner Scales, to deny the request for the proposed changes to Condition 6 regarding the pedestrian trail and to leave the condition as is.

Motion carried (8/0). This item goes to City Council on August 26, 2019.

The meeting was unanimously adjourned at 9:18 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

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

HEARING DATE: September 3, 2019

CASE NO: 19-36CA

APPLICANT: Jaeger Construction

PROPERTY OWNER: Saxon Management Inc.

REQUEST: A conditional use permit amendment to add an addition to the existing auto sales building.

LOCATION: 4725 S. Robert Trail

COMPREHENSIVE PLAN: RC, Regional Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

HB

BACKGROUND

The applicant is requesting a conditional use permit amendment to add a 1,008 square foot carwash addition on the north side of the building and a 1,194 square foot oil change addition on the south side of the building. No additional impervious surface would be added on the property, the additions would be constructed over existing hard surface.

The specific request consists of the following:

- A.) A Conditional Use Permit Amendment to add two small additions onto the existing auto sales building.

EVALUATION OF THE REQUEST

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

North	Car dealership; zoned B-3; guided RC, Regional Commercial
West	Kremer Services; zoned I-1, Limited Industry; guided RC, Regional Commercial
East	Highway/right-of-way
South	Highway/right-of-way

SITE PLAN REVIEW

Setbacks. The proposed addition is located 32 feet from the closest property line, exceeding setback requirements.

Parking Lot. There will be a loss of five parking stalls with the proposed addition; the number of parking spaces still exceed the minimum required by code.

Access. Access to the site is not changing; there are two access points off 50th Street along the south side of the property.

Landscaping. Landscaping was approved with the previous conditional use permit; additional landscaping is not required with the proposed improvements. If there would be any removal of existing landscaping, it would require replacement or relocation of said plantings.

Lighting. There are no changes proposed to the existing site lighting. All parking lot and building lighting on site shall be a down cast, “shoe-box” style and the bulb shall not be visible from property lines.

Rooftop Equipment. If there is any new rooftop equipment added or any changes made to existing roof top equipment, all equipment must be substantially screened from the street. Any large-scale ground mechanical equipment must also be screened with adequate landscape material.

Exterior Building Materials. The exterior of the proposed additions would match the existing building, complying with code requirements.

Signage. All signage must comply with the signage allotment for the “B-3” zoning district. There are no new signs proposed with this request.

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 has been working with the applicant on stormwater requirements. Engineering has made recommendations on conditions; these conditions are included in the list of conditions at the end of this report. The applicant shall continue to work with the City to secure final approval of the construction drawings.

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 is consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Regional Commercial and automobile sales 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 is zoned commercial. The land use of auto sales is consistent with the intent of the B-3, general business zoning district.

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

The proposed addition 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 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 addition would be constructed with similar materials as the existing building.

- ii. Noise*

The proposed addition would not generate noises that are inconsistent with B-3 zoning

- iii. Fencing, landscaping and buffering*

No changes are being proposed to the landscaping on the site.

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.*

Access to the site is not changing. The proposed additions are for uses accessory to the existing car sales and would not generate additional traffic to the area. Setbacks exceed code requirements and the overall parking configuration is not changing.

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

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

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

The proposed addition would not generate any additional surface water or groundwater runoff as no additional impervious surface is being added to the property.

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:
- Approval of a **Conditional Use Permit Amendment** for automobile and off highway vehicles sales to allow two additions to the existing building subject to the following conditions:
 1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Site Plan	dated 08/22/19
Building Elevations	dated 07/15/19
 2. 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.
 3. All signage requires a separate sign permit and shall conform to the sign requirements of the B-3 zoning district.
 4. All display pennants, flags, searchlights, balloons, and other similar devices shall be limited to no more than 10-days per calendar year. Use of such devices shall require a sign permit.
 5. No employee, customer, or sales parking shall be allowed on 50th Street East.
 6. Customer and employee parking shall be clearly signed and no display vehicles shall be allowed in this area.

7. All final development plans shall be subject to the review and approval of the City Fire Marshal.
8. Any new rooftop or ground mounted equipment shall be substantially screened from view as seen from a reasonable viewing perspective.
9. All parking lot and building lighting on site shall be a down cast, “shoe-box” style and the bulb shall not be visible from property lines.
10. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.
11. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.
12. Resolution No. 2000-019 shall become null and void and shall be replaced by the terms of this conditional use 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.

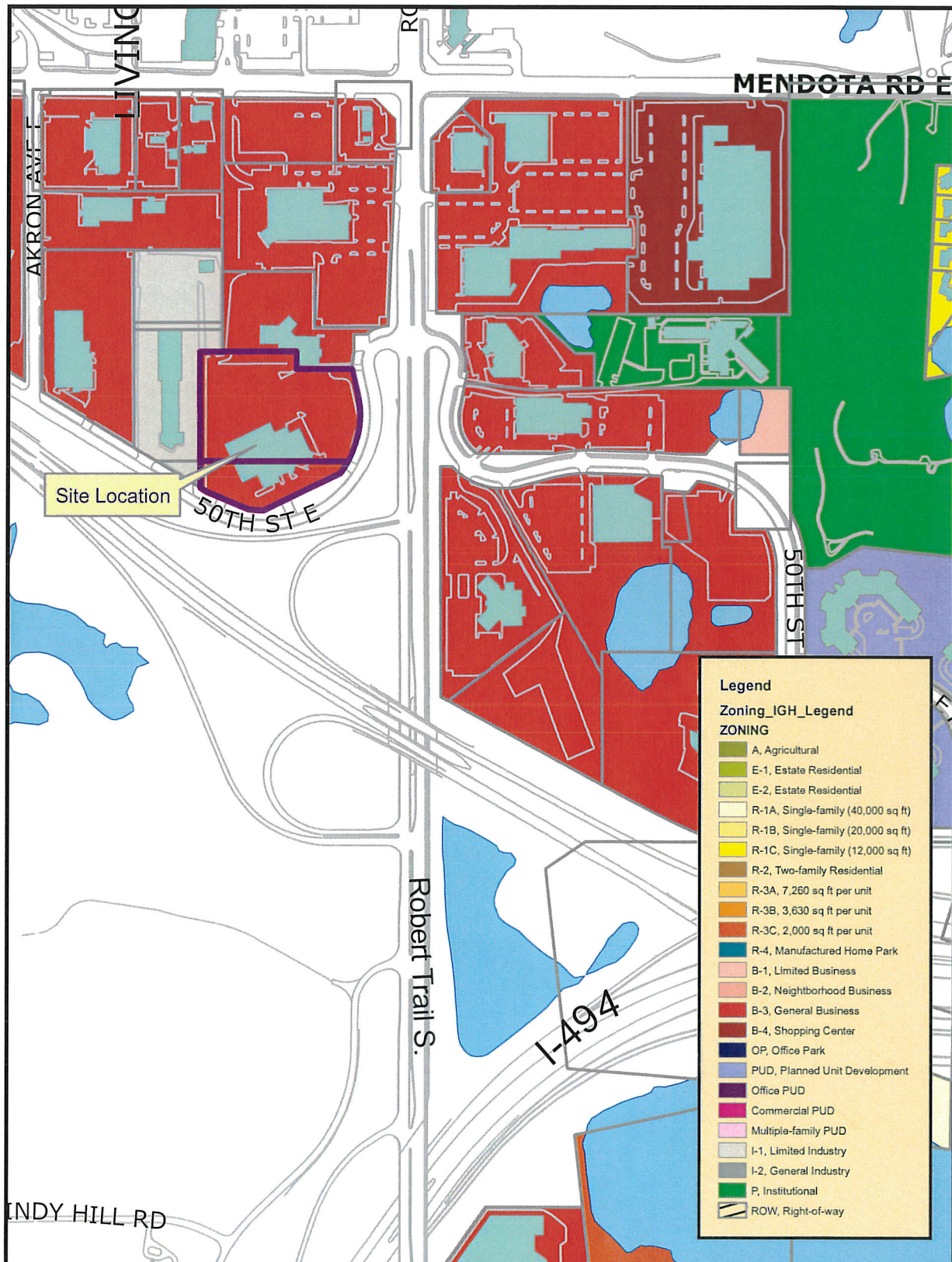
RECOMMENDATION

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

Attachments: A. Zoning/Location Map
B. Narrative
C. Site plan
D. Zoomed in site plan
E. Elevations



4725 S. Robert Trail Case No. 19- 36CA



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

Inver Grove Ford Car wash and Oil Change Addition Conditional Use Permit Application

We are submitting to revise a conditional use permit for the Inver Grove Ford car dealership at 4725 S Robert Trail. We are proposing two additions to the Inver Grove Ford car dealership. The first is car wash addition on the north side and the second is an addition to the oil change bays on the south side. Each of the additions are being added in an area that is currently paved. The grades and drainage will remain the same around the addition. Vehicle circulation and curb cuts will remain the same. We are not disturbing any landscaped areas. There will be a loss of 5 parking stalls with the additions. The disturbed area is less than 4000SF.

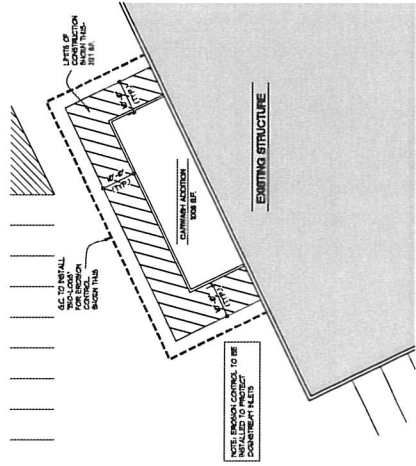
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NEW OIL CHANGE AND CARWASH ADDITION TO: INVER GROVE HEIGHTS FORD 4725 S. ROBERT TRAIL INVER GROVE HEIGHTS, MN

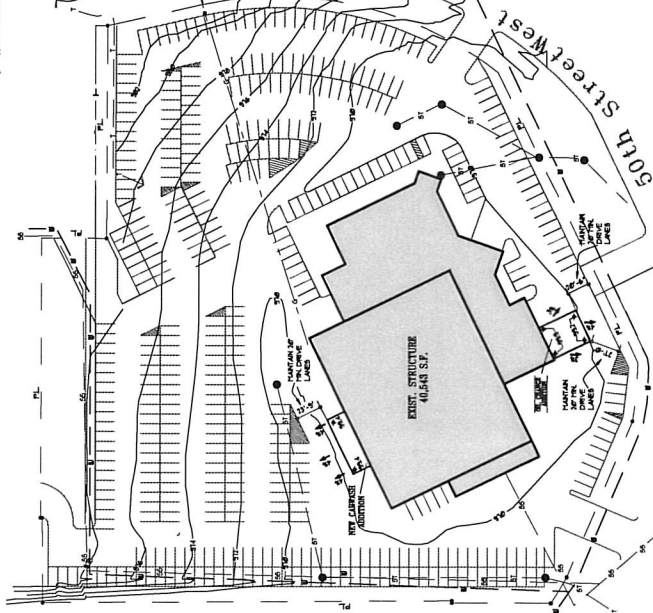
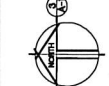
Checked By: J.A.	Drawn By: J.A.	Date: 7/26/18
1	2	3
4	5	6
7	8	9
10	11	12

CODE REVIEW	
2015 MN STATE BUILDING CODE	
TYPE OF CONSTRUCTION	TYPE 1B
USE AND OCCUPANCY CLASSIFICATION	NOTED S-1, B AND M
ALLOWABLE AREA BY OCCUPANCY CLASSIFICATION, TABLE 503	
1. "A" OCCUPANCIES IN TYPE 1B CONSTRUCTION -- 3 STORIES AND 11,000 S.F.	
2. "B" OCCUPANCIES IN TYPE 1B CONSTRUCTION -- 3 STORIES AND 11,000 S.F.	
3. "M" OCCUPANCIES IN TYPE 1B CONSTRUCTION -- 3 STORIES AND 11,000 S.F.	
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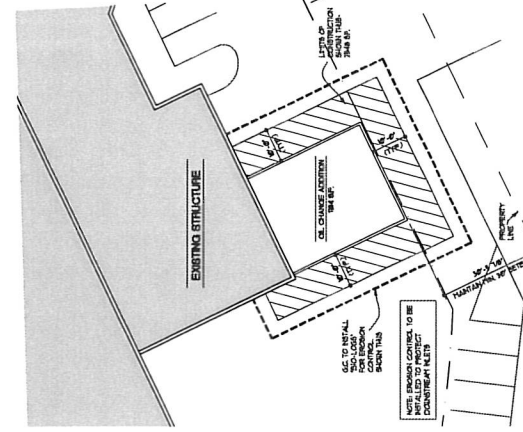
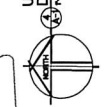
INDEX TO DRAWINGS	
A-1	TITLE SHEET, SITE PLAN AND ROOF PLAN
A-2	PLANS AND ELEVATIONS
A-3	PLANS AND ELEVATIONS
A-4	PLANS AND ELEVATIONS
A-5	BUILDING SECTIONS
B-1	STRUCTURAL NOTES
B-2	DETAILS AND ROOF FRAMING PLANS
B-3	DETAILS AND ROOF FRAMING PLANS
B-4	DETAILS AND ROOF FRAMING PLANS



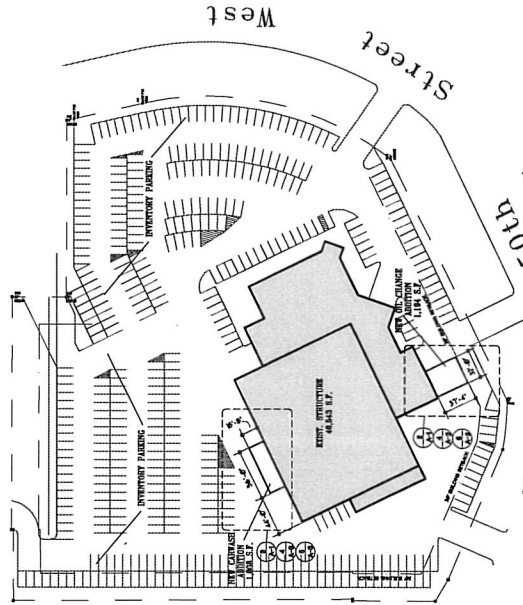
CARWASH
LIMITS OF CONSTRUCTION AND
EROSION CONTROL PLAN



UTILITIES-DRAINAGE
DRIVE CLEARANCE PLAN



OIL CHANGE
LIMITS OF CONSTRUCTION AND
EROSION CONTROL PLAN

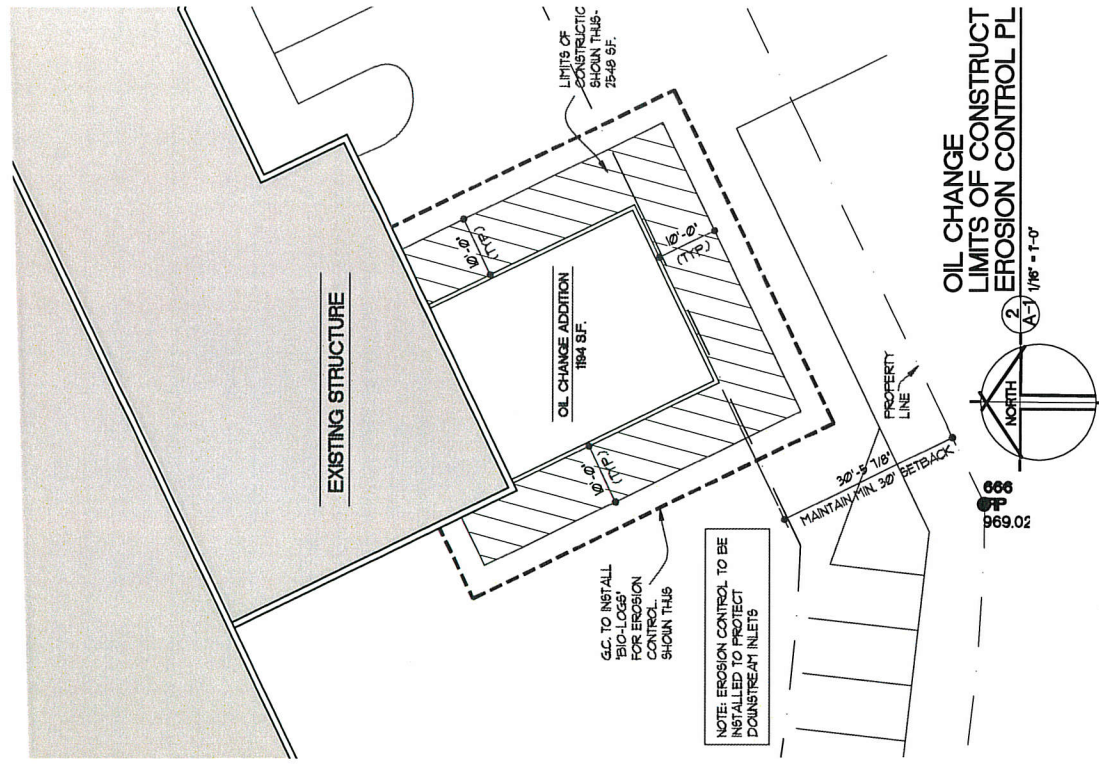
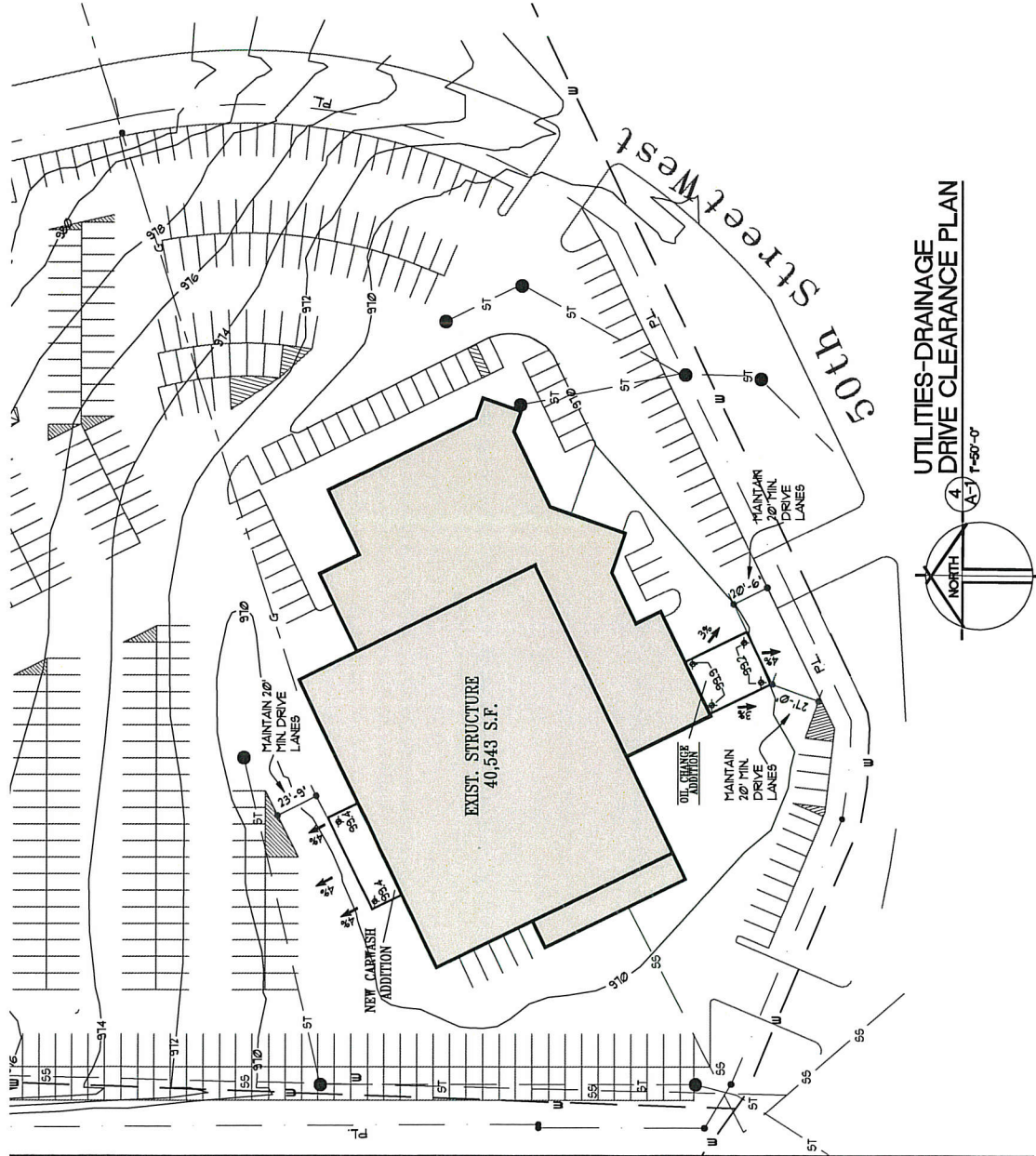


SITE PLAN

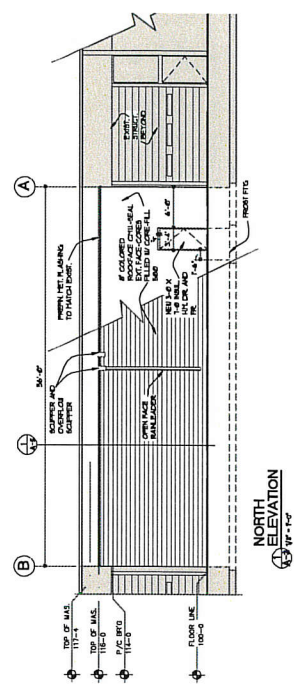


NEW
OIL CHANGE AND CARWASH ADDITION TO:
INVER GROVE HEIGHTS FORD
INVER GROVE HEIGHTS, MN

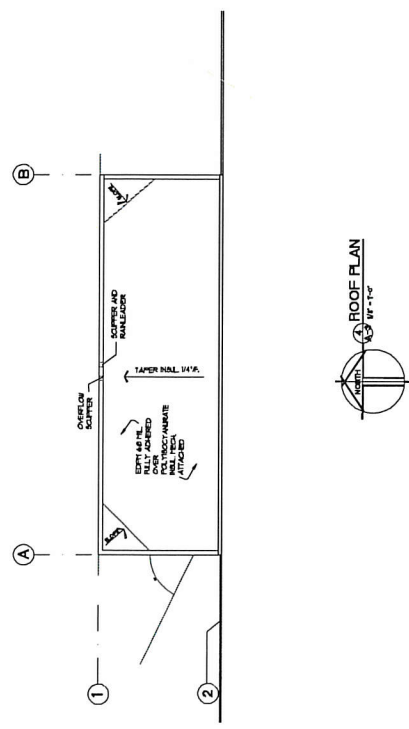
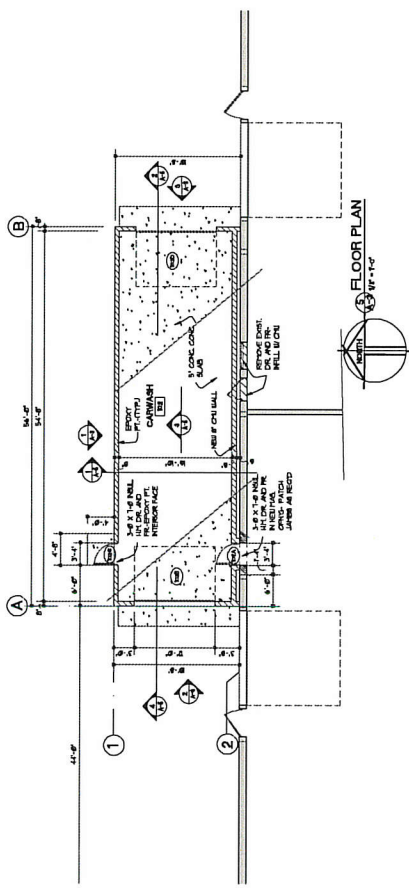
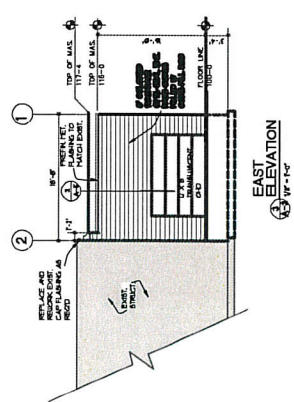
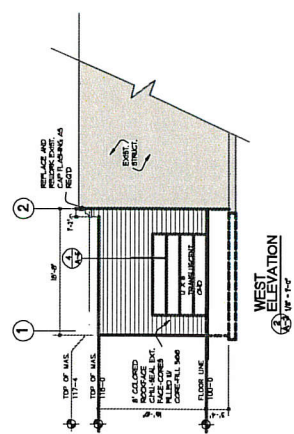
ARCHITECTS INC.
1500 VICTORIA STREET, SUITE 200, MINNEAPOLIS, MN 55402
PHONE: (612) 338-1234
FAX: (612) 338-1235
CELL: (612) 338-1236



Zoomed in site plan



Carwash - north side
E



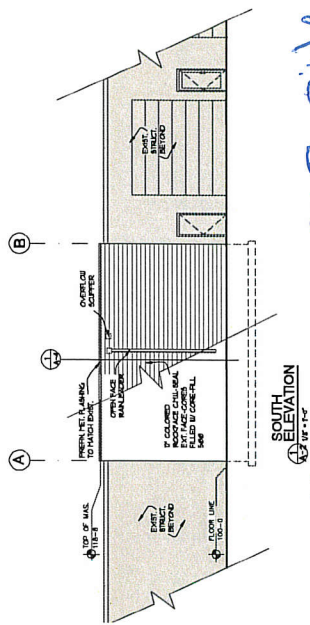
Oil change - south side

RIP ARCHITECTS INC.
 1001 W. 10th St. Suite 100
 Tulsa, OK 74103
 TEL: (918) 589-7994
 FAX: (918) 589-7995
 www.riparchitects.com

**OIL CHANGE AND CARWASH ADDITION TO:
 INVER GROVE HEIGHTS, MN**

REVISIONS

NO.	DATE	DESCRIPTION
1	10/1/03	ISSUED FOR PERMIT
2	10/1/03	ISSUED FOR PERMIT
3	10/1/03	ISSUED FOR PERMIT
4	10/1/03	ISSUED FOR PERMIT
5	10/1/03	ISSUED FOR PERMIT
6	10/1/03	ISSUED FOR PERMIT
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9	10/1/03	ISSUED FOR PERMIT
10	10/1/03	ISSUED FOR PERMIT



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

CASE NO: 19-35SPD

APPLICANT: William Krech

REQUEST: Final Plat and Final PUD Development Approval for Amberwood

MEETING DATE: September 3, 2019

LOCATION: 2001 120th Street

COMPREHENSIVE PLAN: LDR

ZONING: R-1C/PUD

REVIEWING DIVISIONS: Planning
Engineering
Park and Recreation
Fire Marshall

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

Applicant has submitted the final plat and final development plan for the plat of Amberwood. The project will consist of 20 single family homes plus 2 outlots.

The City Council approved the preliminary plat and development plans on July 8, 2019 with 11 conditions.

EVALUATION OF THE REQUEST

The final plan review is limited to a review of the plans against the preliminary plat conditions of approval for compliance. The review will address each of the 11 conditions. A copy of the resolution approving the preliminary plans, including the conditions is attached.

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

Final Plat. The lot layout is the same as the preliminary plat. Outlot A is being created for storm water purposes and will be owned by the City. Outlot B contains the required open space. There will be a conservation easement of the outlot and will be responsibility of the homeowner's association to maintain. The outlot will be owned by the association.

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

Landscape Plan and Tree Inventory. The final grading plan saved a few existing trees. The amount of required replacement has been reduced from 599 caliper inches to 419 caliper inches to be replanted. The landscape plan reflects all required landscaping.

Condition #2 relating to identifying flexibility approved with the PUD. The site plan provides a table with the approved setbacks for consistency when reviewing building permits against the approved plans.

Condition #3 relating to approval of the final grading, drainage and erosion control plans. The City Engineer has approved the grading, drainage and erosion control plans. The developer can begin tree removal and rough grading with that approval. Street and utility construction begin after the plans and development contract are approved by City Council. This condition has been satisfied.

Condition #4 relating to drainage and utility easements provided on the plat. The plat provides for easements over all of Outlots A and B and all needed perimeter easements. This condition has been satisfied.

Condition #5 relating to park dedication. Park dedication is due to both Inver Grove Heights and Eagan based on the conditions of the joint powers agreement for sewer and water. Park fees are collected at time of plat release.

Condition #6 relating to plans reviewed by the Fire Marshall. The Fire Marshall reviewed the plans and did not have any comments or concerns.

Condition #7 relating to storm water facilities maintenance agreement and responsibilities. The developer will be required to enter into a maintenance agreement with the City for all of the storm water features. The details of the agreement will be addressed during the development contract meeting which is currently in progress. The City Council will review and take action on the maintenance agreement with the development contract.

Condition #8 relating to Outlot B and maintenance of permanent open space. The homeowner's association will own Outlot B and be responsible for the maintenance of the conservation easement. The easement will be part of the documents the Council will approved with the final plat. The City Attorney will review the homeowner's association documents to make sure they address this condition.

Condition # 9 relating to acknowledgement of PUD zoning. This condition was drafted by the City Attorney to indicate an acknowledgement will be recorded with the County for each

development indicating the zoning and regulations placed on the property. It puts on record for any future landowners that there are special regulations on the property.

Condition #10 relating to entering into a development contract. This process has begun. A development contract will be drafted and reviewed by the City Council during their review of the final plan set.

Condition #11 relating to plans subject to the conditions of the Eagan/Inver Grove Heights Joint Powers agreement (JPA). Eagan has reviewed the plans and provided comment on the utility and park dedication fees that are required. These fees are collected by Inver Grove Heights and sent to Eagan. The plans address Eagan's comments and the development contract identifies the fee requirements based on the JPA.

ALTERNATIVES

A. **Approval.** Approval of the Final PUD Development Plans for Amberwood subject to the following conditions:

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

Final Plat of Amberwood	
Site Plan	dated 8/16/19
Tree Preservation Plan	dated 8/21/19
Landscape Plan	dated 8/21/19
Grading & Erosion Control Plan	dated 7/15/19
Street Plan (2 sheets)	dated 8/28/19
Sign and Lighting Plan	dated 8/28/19
Sanitary and Watermain Plan (2 sheets)	dated 8/28/19
Storm Sewer Plan (3 sheets)	dated 8/28/19
Drain Tile Plan	dated 8/28/19

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

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

RECOMMENDATION

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

ATTACHMENTS:

- Site Location Map
- Preliminary PUD conditions of approval
- Final Plat
- Site Plan
- Landscape Plan
- Street Plan (2 sheets)
- Sign and Lighting Plan
- Sanitary and Watermain Plan (2 sheets)
- Storm Sewer Plan (3 sheets)
- Drain Tile Plan

PRELIMINARY CONDITIONS OF APPROVAL

CITY OF INVER GROVE HEIGHTS DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 19-120

A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD DEVELOPMENT PLAN CONSISTING OF 20 SINGLE FAMILY LOTS AND TWO (2) OUTLOTS FOR THE PLANNED DEVELOPMENT TO BE KNOWN AS AMBERWOOD

CASE NO. 19-07SZC

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

**The Northwest $\frac{1}{4}$ of the Southwest Quarter of the Southwest Quarter of Section 31,
Township 27, Range 22 West**

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on April 19, 2019;

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

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

Cover Sheet	6/27/19
Preliminary Plat	6/27/19
Preliminary Grading Plan	6/27/19
Preliminary Erosion Control Plan	6/27/19
Preliminary Sanitary & Watermain/Site Plan	6/27/19
Preliminary Storm Sewer Plan	6/27/19
Preliminary Street Plan (2 sheets)	6/27/19
Preliminary Landscape Plan	6/27/19
Tree Preservation Plan (2 sheets)	6/27/19

2. The PUD shall be approved with the following specific standards:
 - a. Structure setbacks allowed per table shown on the Preliminary Site Plan and Grading Plan.
 - b. Reduced lot size and width as shown on the Preliminary Plat.
3. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
4. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
5. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved and shall also comply with the dedication requirements of the joint powers agreement.
6. All plans shall be subject to the review and approval of the Fire Marshal.
7. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
8. The developer shall be responsible to insure Outlot B remains in open space and is controlled by the homeowner's association. A conservation easement shall be placed over the easement to restrict use and restrict cutting of vegetation. It shall remain in its present state. The easement would be part of the improvement agreements for the final plans.
9. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
10. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the requirements of the Planned Unit Development plans.
11. The approved plans shall be subject to the conditions of the Inver Grove Heights/Eagan joint powers agreement.

Passed this 8th day of July, 2019.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Joseph Lynch, Interim Deputy Clerk

AMBERWOOD

KNOW ALL PERSONS BY THESE PRESENTS: That Amberwood, LLC., a Minnesota limited liability company, owner, of the following described property:

The Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 31 Township 27 North, Range 22 West, Dakota County, Minnesota.

Has caused the same to be surveyed and platted as AMBERWOOD and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Amberwood, LLC., a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 20____.

Amberwood, LLC., a Minnesota limited liability company

_____, as _____

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____, by _____ as _____ of Amberwood, LLC., a Minnesota limited liability company, on behalf of the company.

Signature

Printed Name

Notary Public, _____, County, Minnesota

My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Peter J. Hawkinson, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

Peter J. Hawkinson, Licensed Land Surveyor
Minnesota License No. 42299

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____, by Peter J. Hawkinson.

Signature

Printed Name

Notary Public, _____, County, Minnesota

My Commission Expires _____

CITY COUNCIL, Inver Grove Heights, County of Dakota, State of Minnesota

This plat was approved by the City Council of the City of Inver Grove Heights, Minnesota, this ____ day of _____, 20____, and hereby certifies compliance with all requirements asset forth in Minnesota Statutes, Section 505.03, Subd. 2.

By: _____
Mayor

By: _____
Clerk

CITY PLANNING COMMISSION, Inver Grove Heights, County of Dakota, State of Minnesota

Approved by the Planning Commission of the City of Inver Grove Heights, Minnesota this ____ day of _____, 20____

By: _____
Secretary

By: _____
Chair

COUNTY SURVEYOR, Dakota County, State of Minnesota

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20____.

By: _____
Todd B. Tollefson
Dakota County Surveyor

COUNTY BOARD, County of Dakota, State of Minnesota

We do hereby certify that on the ____ day of _____, 20____, the Board of Commissioners of Dakota County, Minnesota, approved this plat of AMBERWOOD, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2 and pursuant to the Dakota County Contiguous Plat Ordinance.

By: _____
Chair, County Board

Attest: _____
County Treasurer-Auditor

DEPARTMENT OF PROPERTY TAXATION AND RECORDS, County of Dakota, State of Minnesota

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9., taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20____.

By: _____
Amy A. Koethe
Director, Department of Property Taxation and Records

COUNTY RECORDER, County of Dakota, State of Minnesota

I hereby certify that this plat of AMBERWOOD was filed in the office of the County Recorder for public record on this ____ day of _____, 20____, at ____ o'clock ____ .M. and was duly filed in Book _____ of Plats, Page _____ as Document No. _____.

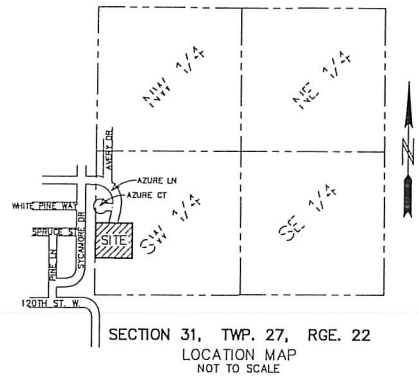
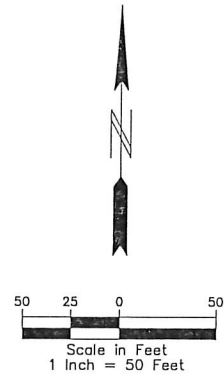
PRINTED

By: _____
Amy A. Koethe
Dakota County Recorder

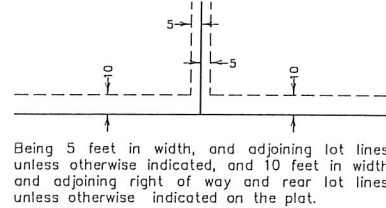
JUL 29 2019

PIONEER
ENGINEERING, P.A.

AMBERWOOD

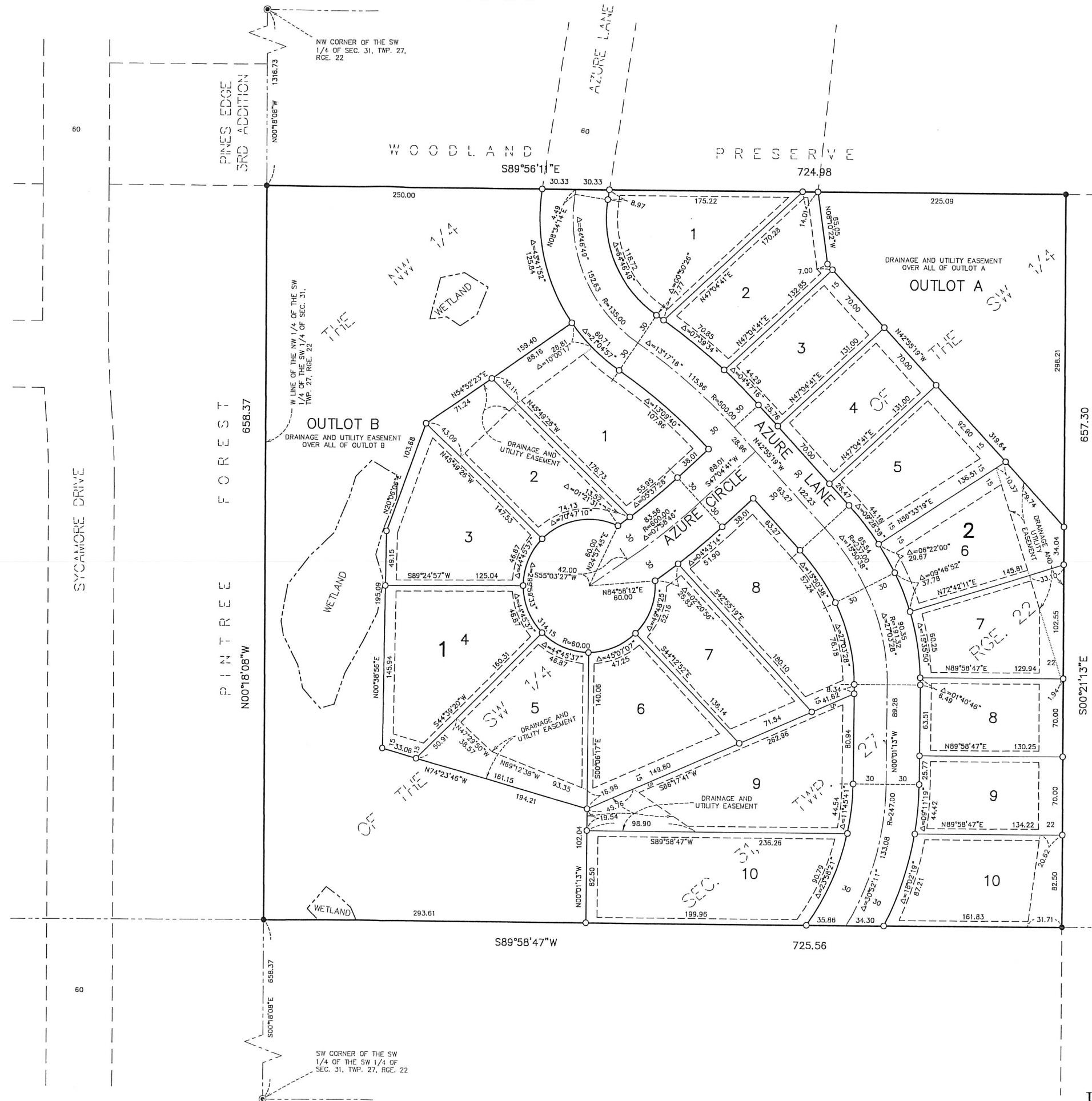


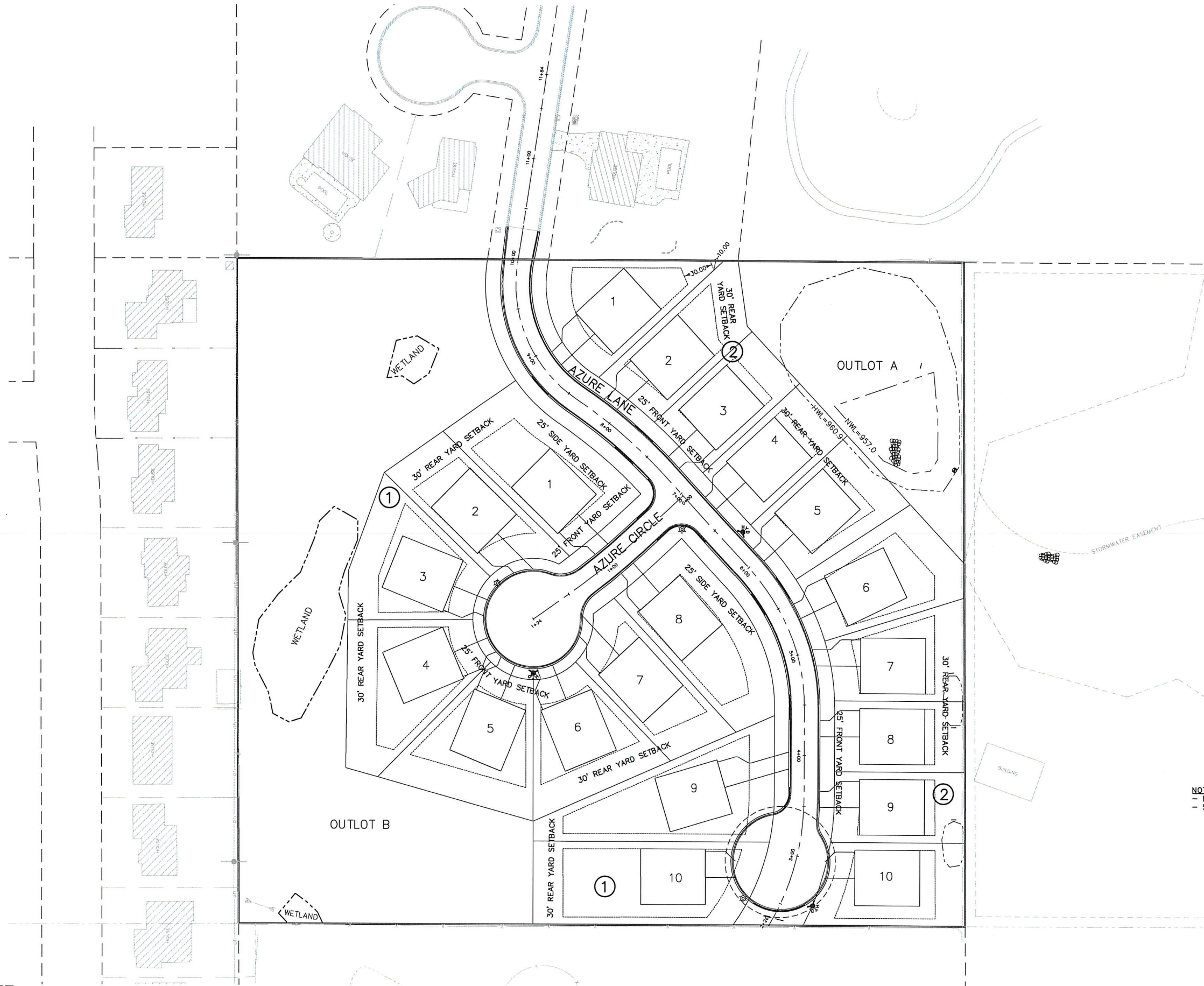
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 27, RANGE 22, WHICH IS ASSUMED TO HAVE A BEARING OF NORTH 00°18'08" WEST.

- DENOTES FOUND CAST IRON MONUMENT
- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NUMBER 42299, OR WILL BE SET IN ACCORDANCE WITH MS SECTION 505.021, SUBD. 10.
- DENOTES FOUND 1/2 INCH IRON MONUMENT MARKED BY LICENSE NUMBER 42299 UNLESS OTHERWISE NOTED.



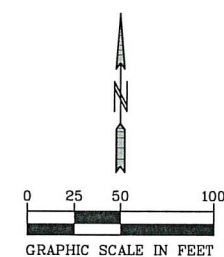


FINAL ZONING REQUIREMENTS PUD:

MINIMUM LOT WIDTH	70 FEET
MINIMUM CORNER LOT WIDTH	88 FEET
MINIMUM FRONT YARD SETBACK	25 FEET
MINIMUM REAR YARD SETBACK	30 FEET
MINIMUM SIDE SETBACK	7.5 FEET
MINIMUM SIDE STREET SETBACK	25 FEET

LOW FLOOR = HWL+2'
LOWEST OPENING = EOF+1'

NOTE:
- LOTS GOVERNED BY STANDARD IMPERVIOUS SURFACE COVERAGE
- SETBACKS APPLY TO ALL PRINCIPAL AND ACCESSORY STRUCTURES



BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV. = 980.18

01-ENG-118373-SHEET-SITE

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

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

Name Paul J. Chene
Reg. No. 19860 Date 7-25-2019

Revisions
1. 8/16/2019 City Comments

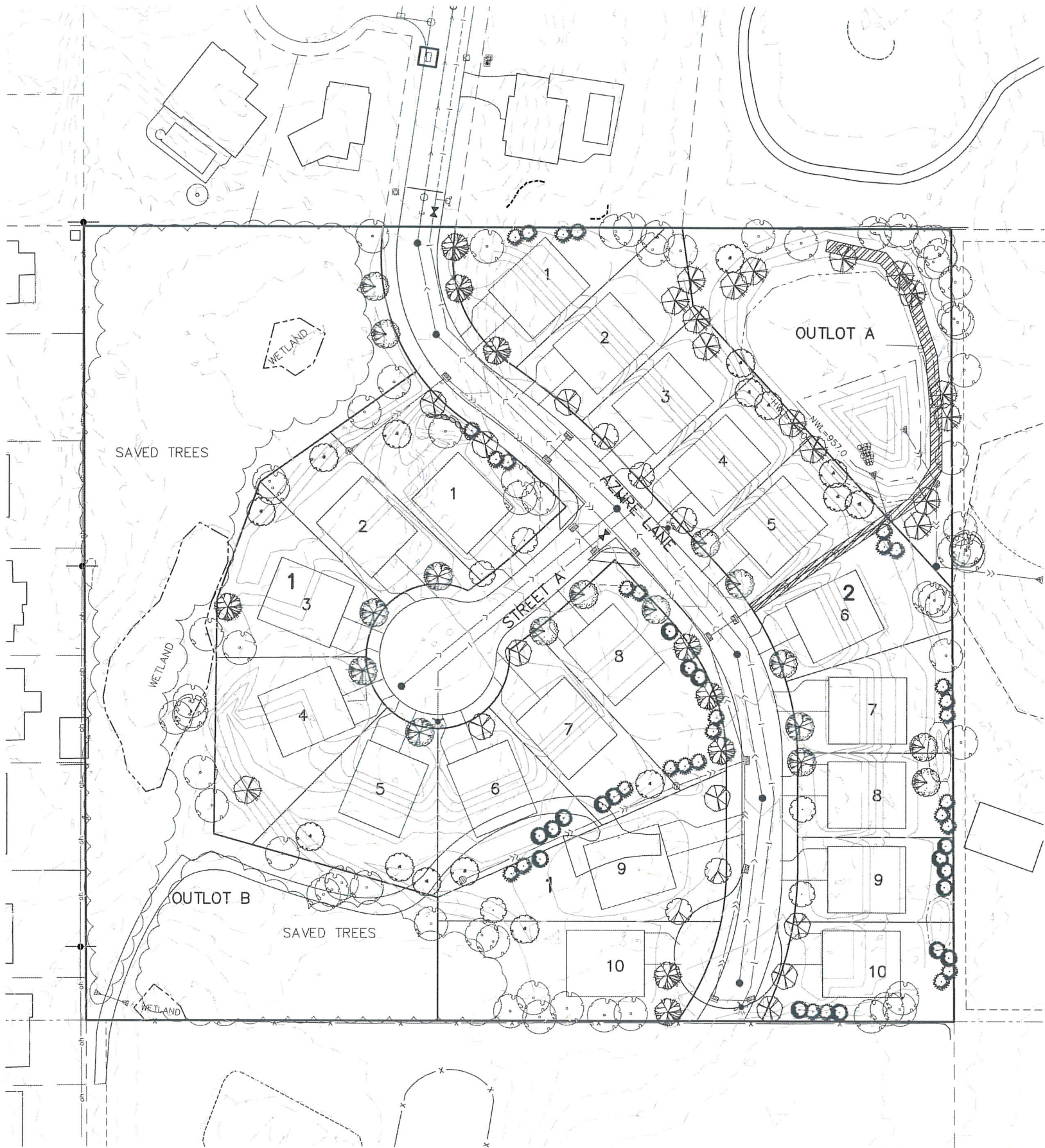
Date 7-25-2019
Designed PJC
Drawn MPC

SITE PLAN

AMBERWOOD, LLC
5866 BLACKSHIRE PATH
INVER GROVE HEIGHTS, MN 55076

AMBERWOOD
INVER GROVE HEIGHTS, MINNESOTA

1 OF 1

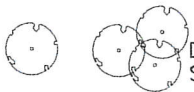


PLANT SCHEDULE				
KEY	COMMON NAME/Scientific name	ROOT	QUANTITY	INSTRUCTIONS
OVERSTORY TREES				
	AUTUMN BLAZE MAPLE/Acer x freemanii 'Jeffersred'	3" B&B	9	
	RIVER BIRCH/Betula nigra 'Heritage'	12-14' B&B	17	Clump
	COMMON HACKBERRY/Celtis occidentalis	3" B&B	5	
	THORNLESS HONEYLOCUST/Gleditsia triacanthos var. inermis	3" B&B	9	
	SENTRY LINDEN/Tilia americana 'Sentry'	3" B&B	5	
	SUGAR MAPLE/Acer saccharum	3" B&B	7	
	NORTHERN PIN OAK/Quercus ellipsoidalis	3" B&B	9	
	SWAMP WHITE OAK/Quercus bicolor	3" B&B	16	
EVERGREEN TREES				
	BLACK HILLS SPRUCE/Picea glauca densata	8' B&B	30	
	WHITE PINE/Pinus strobus	8' B&B	17	

LANDSCAPE NOTES:

STREET TREE REQUIREMENT: 1 TREE/40 FEET, A MINIMUM OF 1 TREE/LOT
TREES MUST BE PLANTED 5-7' INSIDE PROPERTY LINE AND NO CLOSER THAN
30' TO THE CURBLINE INTERSECTION ON CORNER LOTS.
MITIGATION REQUIRED: 419"

PROPOSED TREES:
77 OVERSTORY (231")
47 EVERGREEN (188"), EACH 8' EVERGREEN IS 4" CALIPER
TOTAL TREES: 171 (419")

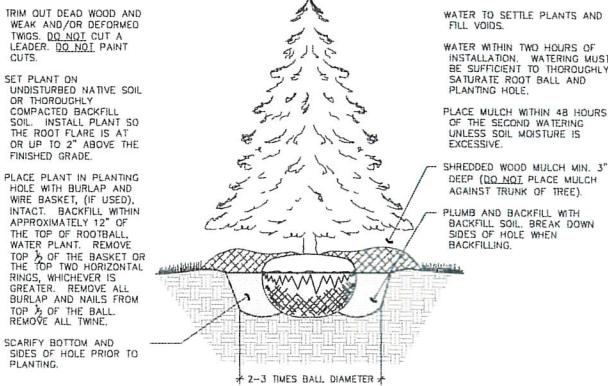


DENOTES EXISTING SIGNIFICANT TREES CLOSEST TO DEVELOPMENT AREA TO BE
SAVED

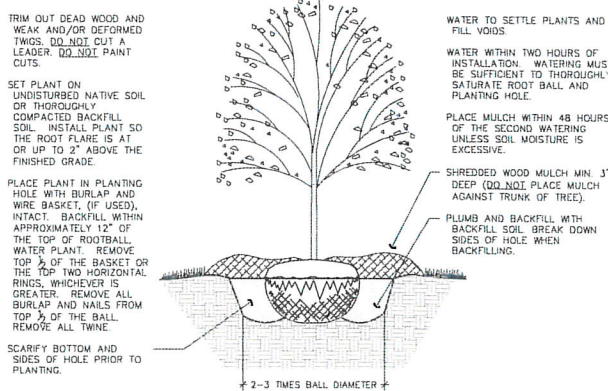
LANDSCAPE NOTES

- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
- THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH Gopher State One Call 1-800-282-1158 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
- GRADING TO BE PERFORMED BY OTHERS.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOUND IN THE AMERICAN ASSOCIATION OF NURSERYMEN-AMERICAN STANDARD FOR NURSERY STOCK.
- ALL CONTAINER MATERIAL TO BE GROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
- DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STANDABILITY TO A WIND SPEED OF 60 M.P.H.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE TIME REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
- IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLANT SCHEDULE.
- COMMERCIAL GRADE POLY LAWN EDGING SHALL BE INSTALLED WHERE NOTED.
- THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
- THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNSTAINED. ALL PEDESTRIAN AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WASTES SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS GOVERNING THE WORK.
- STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.

CONIFEROUS TREE PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL



PIONEERengineering

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

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

Name: James L. Thompson
Reg. No.: 44764 Date: 8-21-19

Revisions:
8-21-19 revised plan for tree mitigation up-lates

Date: 6-19-19
Designed: JLT
Drawn: JLT

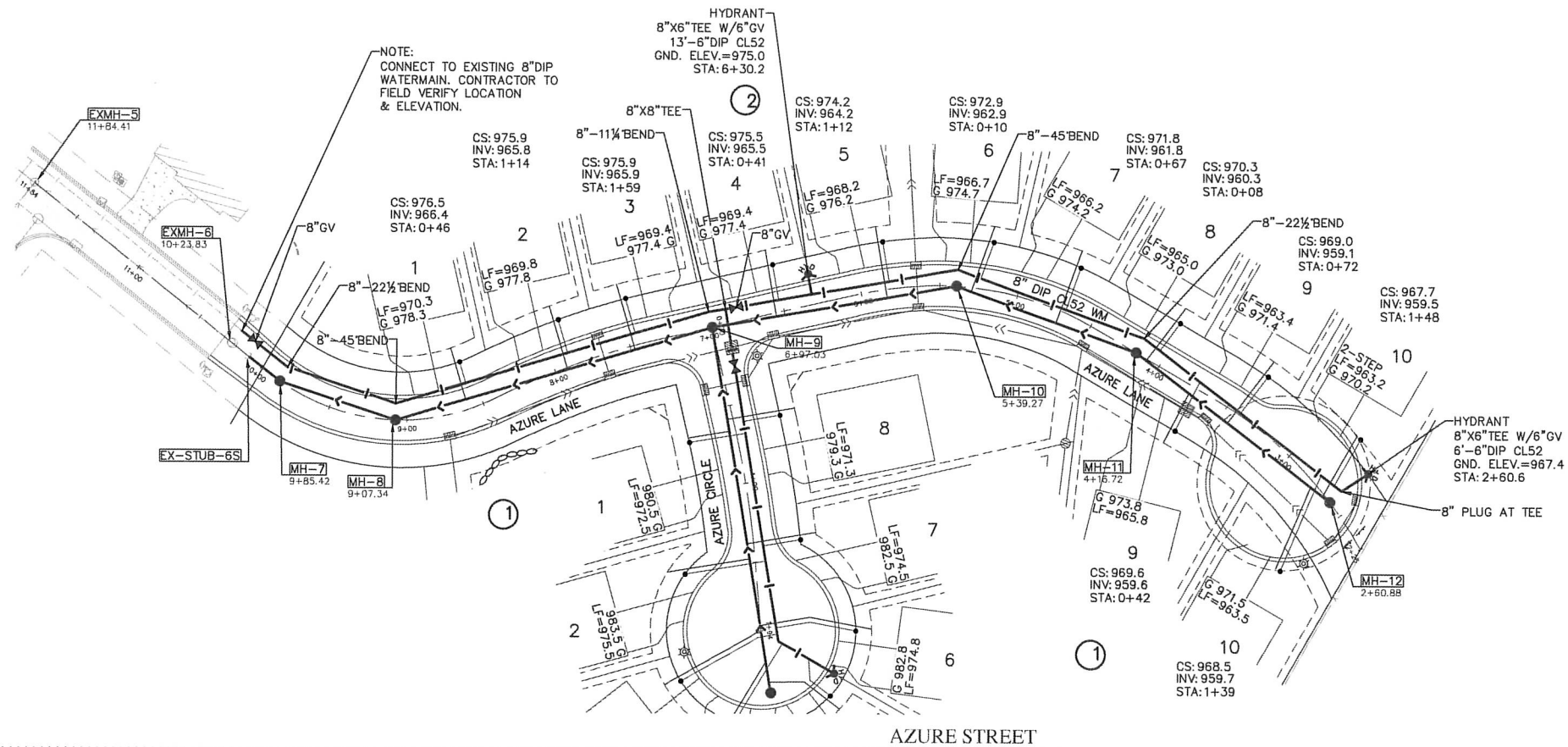
LANDSCAPE PLAN

BILL KRECH
5866 BLACKSHIRE PATH
INVER GROVE HEIGHTS, MN 55076

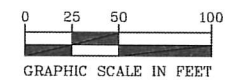
AMBERWOOD
INVER GROVE HEIGHTS, MINNESOTA

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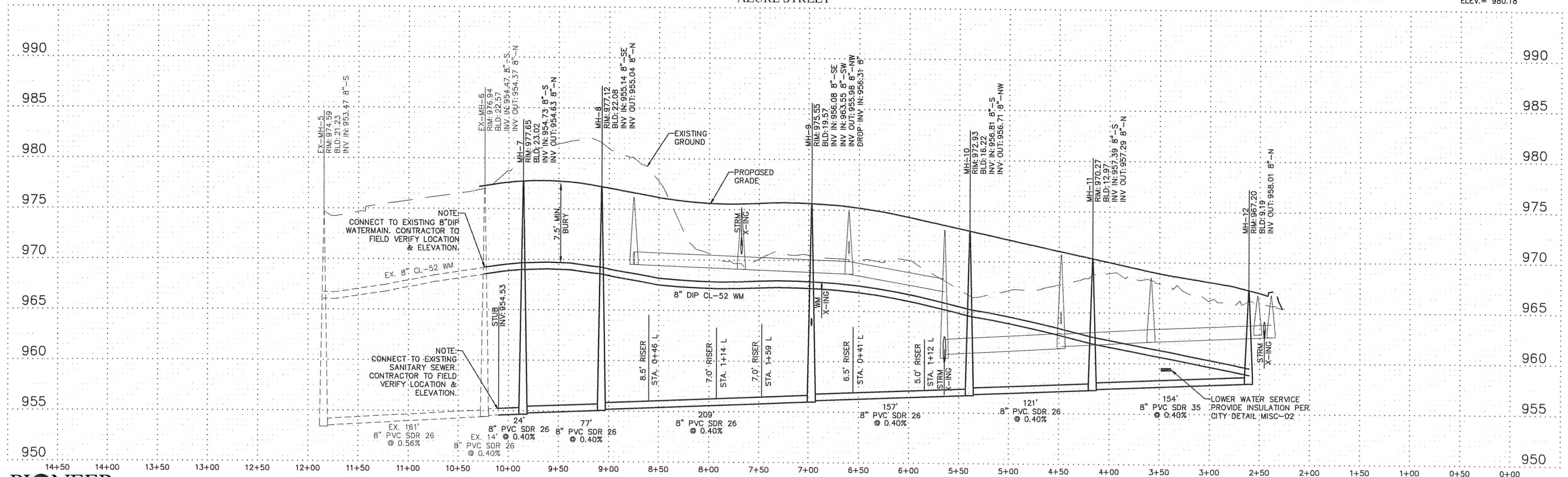
OUTLOT A



- SANITARY & WATERMAIN CONSTRUCTION NOTES**
1. SANITARY SEWER SERVICE WYES ARE STATIONED FROM DOWNSTREAM MANHOLES.
 2. WATER MAIN SERVICES SHALL TERMINATE AT THE ROW. SANITARY SERVICES SHALL EXTEND 10' PAST ROW.
 3. SANITARY SEWER TRACER WIRE BOX SHALL BE PLACED AT ROW.
 4. IF SEWER SERVICE CONDUCTIVITY BOX OR WATER CURB BOX IS PLACED IN DRIVEWAY A FORD A-1 COVER OR EQUAL MUST BE PROVIDED. BOX MUST BE MARKED WITH SEWER OR WATER RESPECTIVELY.
 5. ALL SANITARY SEWER SERVICES AND RISERS SHALL BE 4" P.V.C. (SDR 26), UNLESS OTHERWISE NOTED, WITH A MINIMUM SERVICE GRADE OF 2%.
 6. WATER SERVICES ARE 3' UP STREAM FROM SANITARY SERVICE WITH A MIN 7.5' BURY.
 7. ALL WATER SERVICES SHALL BE 1" (TYPE "K") COPPER UNLESS OTHERWISE NOTED.
 8. ALL D.I.P. WATER MAIN SHALL BE CLASS 52 UNLESS OTHERWISE NOTED.
 9. ALL HYDRANTS SHALL BE PLACED 4' BEHIND CURB. ALL HYDRANT G.V. SHALL BE 1' BEHIND CURB.
 10. SANITARY SEWER PIPE SDR 35 & 26 SHALL BE ASTM D-3034A.
 11. ALL UTILITY CONFLICTS SHALL BE RESOLVED ACCORDING TO CITY STANDARD SPECIFICATIONS.
 12. CONTRACTOR RESPONSIBLE FOR ALL TRENCH DESIGN AND MEETING ALL OSHA REGULATIONS.
 13. MAINTAIN 10' HORIZONTAL AND 1.5' VERTICAL SEPARATION BETWEEN SANITARY SEWER AND WATERMAIN.
 14. SANITARY SEWER INVERT ELEVATIONS ARE AT END OF SERVICE.
 15. ACTIVATION OF WATERMAIN SYSTEM SHALL BE PERFORMED BY CITY PERSONNEL ONLY.
 16. DEFLECTION TESTING FOR ALL NON-RIGID PIPE SHALL BE CONDUCTED AFTER THE FINAL BACKFILL HAS BEEN IN PLACE FOR 30 DAYS.
 17. THE SEWER AND WATER SERVICES SHALL BE INCLUDED IN THE PRESSURE AND LEAKAGE TESTING REQUIREMENTS FOR THE MAIN LINES.
 18. ALL DIP SANITARY SEWER SHALL HAVE CERAMIC EPOXY LINING.



BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV. = 980.18



PIONEERengineering

CIVIL ENGINEERS LAND PLANNERS LANDSCAPE ARCHITECTS
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Fax: 681-9488
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I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Name: *Paul J. Chene*
Reg. No.: 19860 Date: 7-25-2019

Revisions: 1. 8/18/2019 City Comments

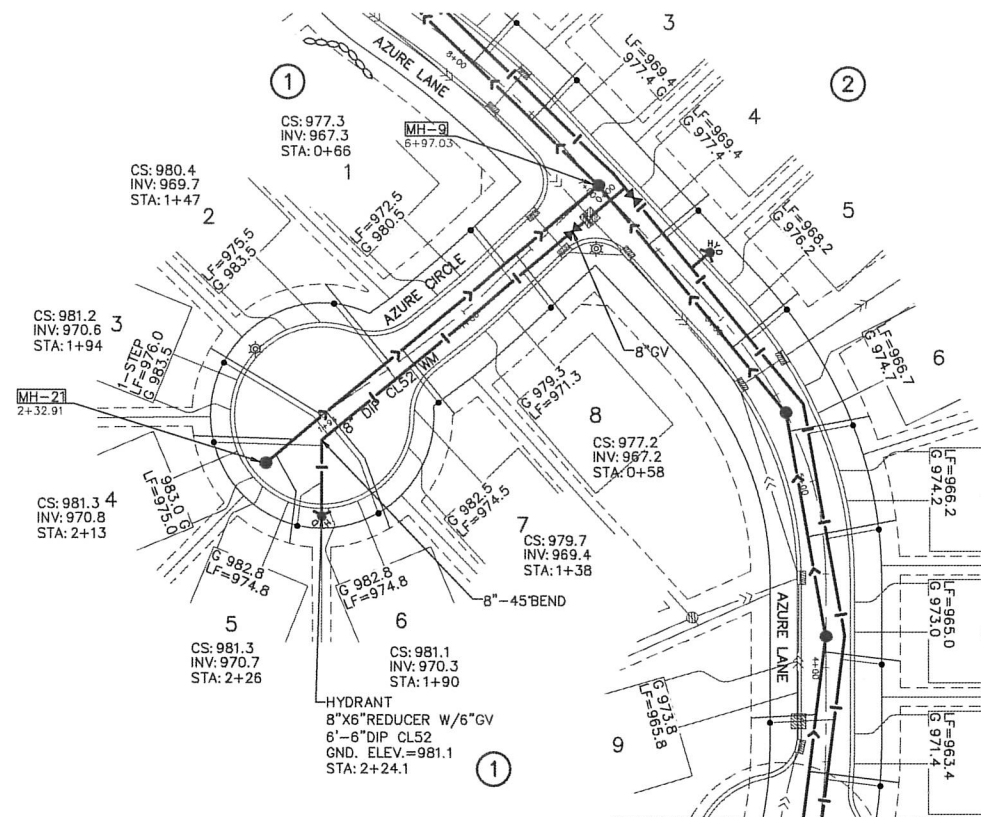
Date: 7-25-2019
Designed: PIC
Drawn: APC

SANITARY SEWER & WATERMAIN

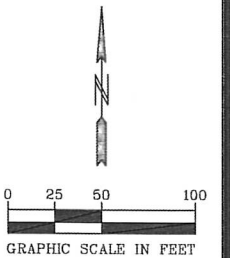
AMBERWOOD, LLC
5806 BLACKSHIRE PATH
INVER GROVE HEIGHTS, MN 55076

AMBERWOOD
INVER GROVE HEIGHTS, MINNESOTA

01-ENG-118377-SHEET-55WR
2.1 OF 17

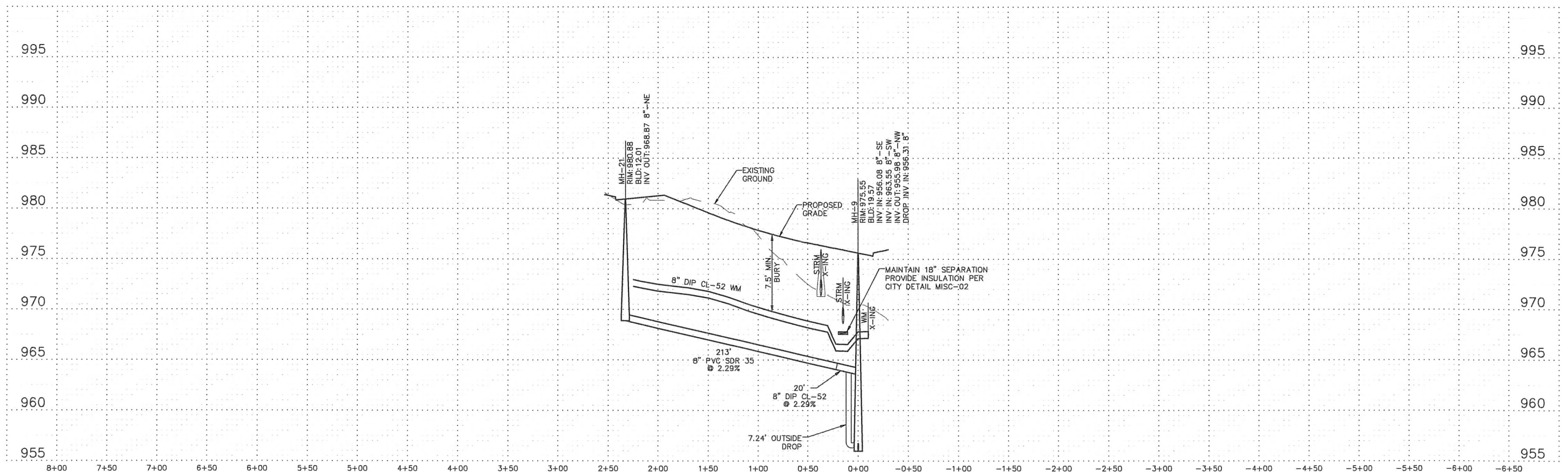


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BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV. = 980.18

AZURE CIRCLE



PIONEERengineering

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Mendota Heights, MN 55120

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Fax: 681-9488
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I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Name: Paul J. Cherni
Reg. No. 19960 Date 7-25-2019

Revisions:
1. 8/16/2019 City Comments

Date: 7-25-2019
Designed: PJC
Drawn: KPC

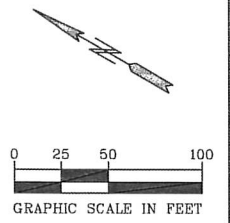
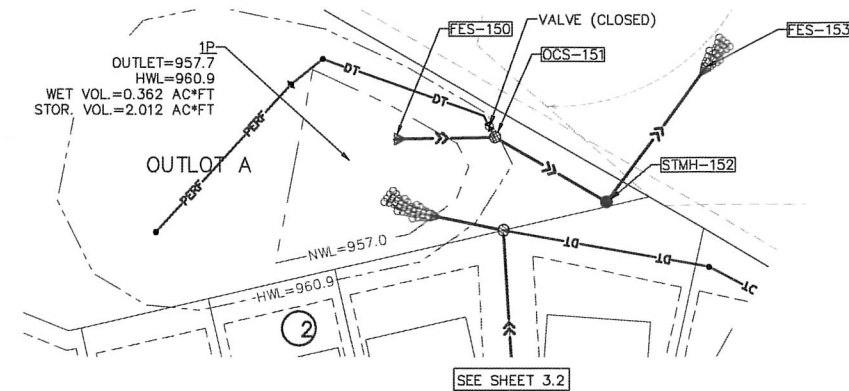
SANITARY SEWER & WATERMAIN

AMBERWOOD, LLC
5866 BLACKSHIRE PATH
INVER GROVE HEIGHTS, MN 55076

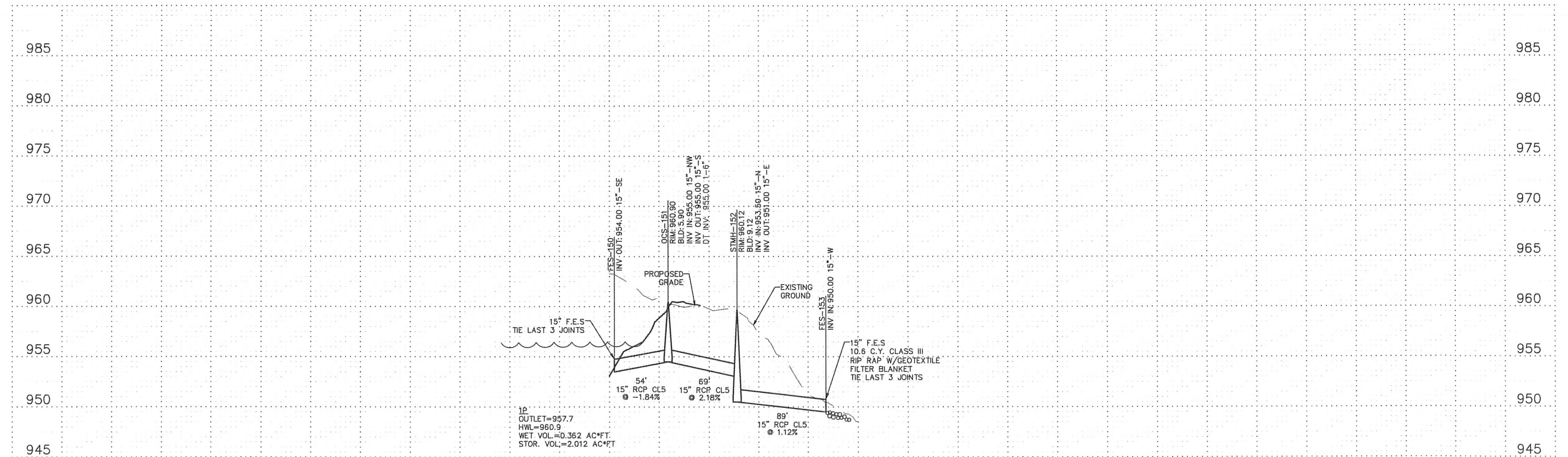
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INVER GROVE HEIGHTS, MINNESOTA

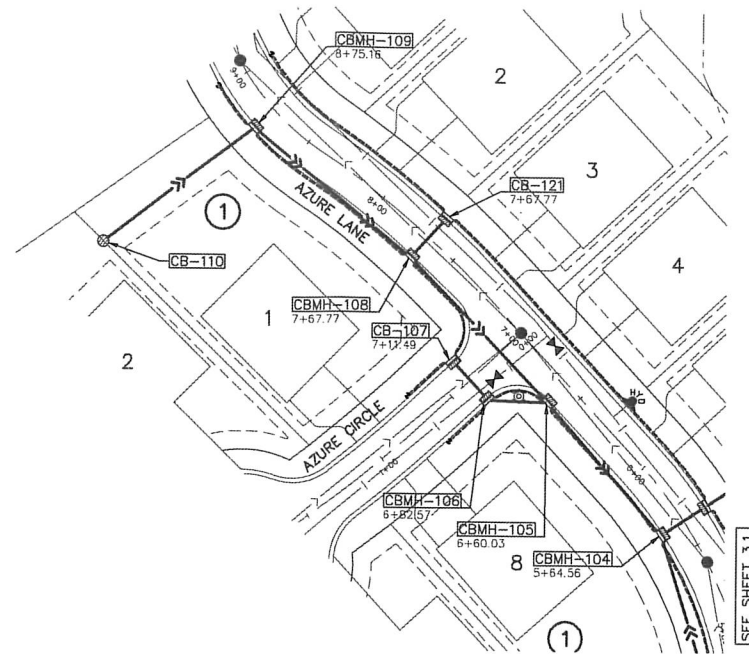
2.2 OF 17

- STORM SEWER CONSTRUCTION NOTES**
1. FINAL STRUCTURE OFF-SET TO BE VERIFIED BY CONTRACTOR AND INSPECTOR BASED ON MATERIAL SUPPLIED TO PROJECT. FIELD STAKING SET ACCORDING TO BACK OF CURB.
 2. INSTALL SEDIMENT CONTROL BARRIER INSERTS ON ALL CATCH BASINS (SEE DETAIL EC-04)
 3. SEE SHEET 3.4 FOR DRAINTILE INFORMATION
 4. R-4342 CASTING SHALL HAVE CONCRETE FRAME (SEE DETAIL STM-07)
 5. PLACE ANTI-SEEPAGE COLLAR AROUND STORM PIPE THAT IS PLACED IN EMBANKMENTS THAT WILL HOLD WATER & ON STEEP PIPE. ENSURE EMBANKMENT MATERIAL HAS CHARACTERISTICS TO CONTAIN WATER (SCS STANDARDS)

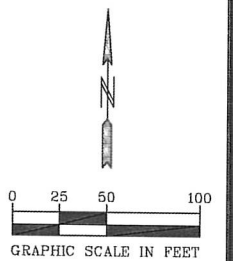


BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV.= 980.18

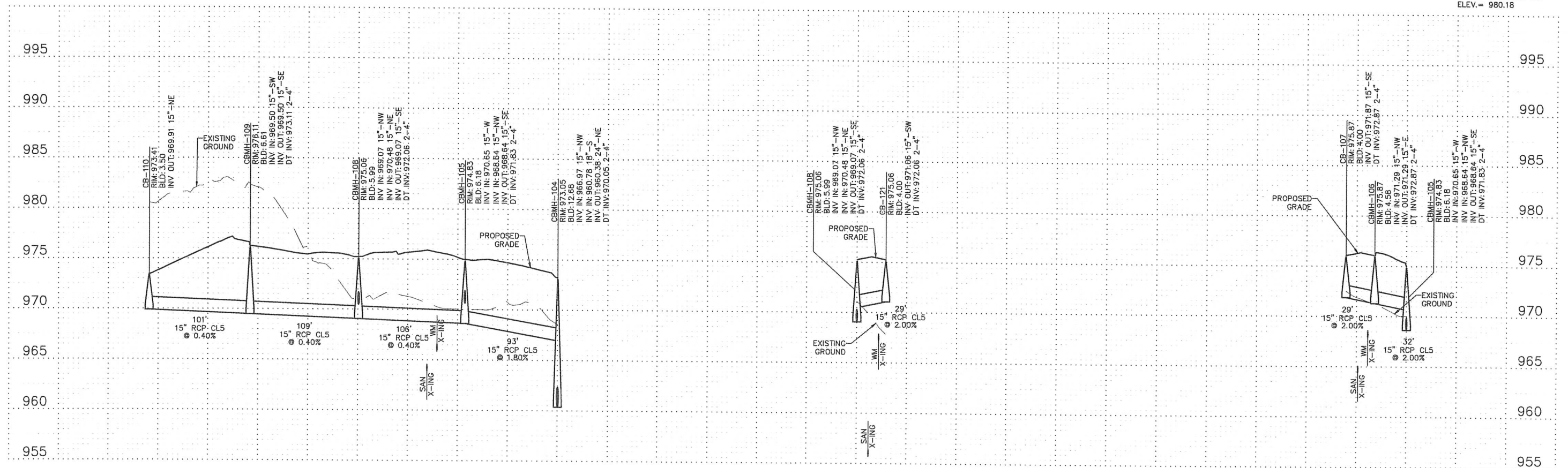




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TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV. = 980.18



PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

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

Name: *Paul J. Chene*
Reg. No. 19940 Date: 7-25-2019

Revisions
1. 8/16/2019 City Comments

Date: 7-25-2019
Designed: JPC
Drawn: MPC

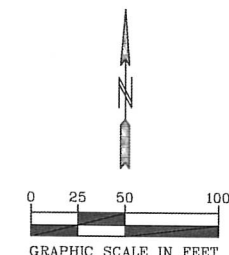
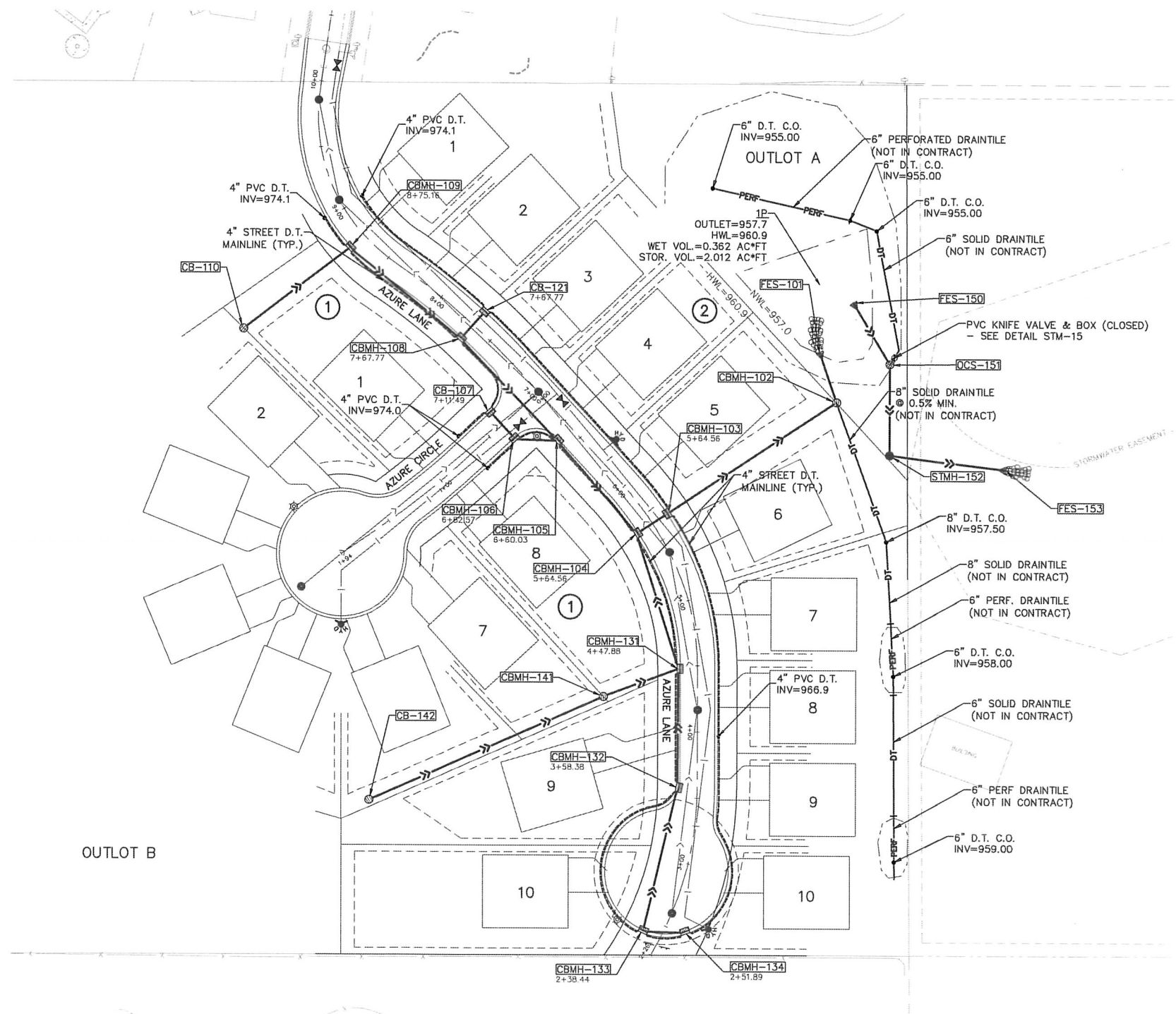
STORM SEWER

AMBERWOOD, LLC
5806 BLACKSHIRE PATH
INVER GROVE HEIGHTS, MN 55076

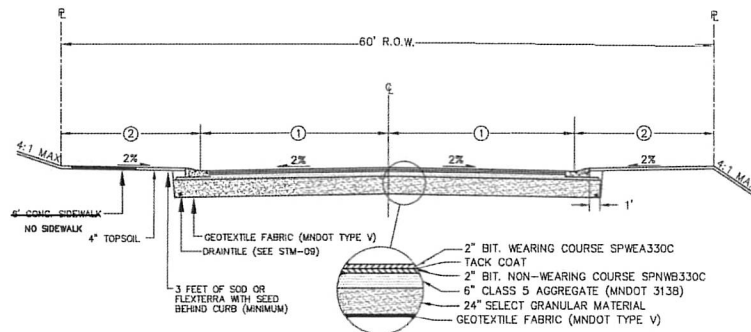
AMBERWOOD
INVER GROVE HEIGHTS, MINNESOTA

3.3 OF 17

- DRAINTILE NOTES:**
1. INFILTRATION BASIN DRAINTILE TO BE 4-INCH WITH KNIT SOCK, VALVES, AND SCREW CAP CLEANOUTS.
 2. ALL DRAINTILE TO DAYLIGHT INTO MANHOLE, CATCHBASIN OR INTO A HEADWALL STRUCTURE.
 3. CLEANOUTS SHALL BE PROTECTED WITH A FORD A-1 COVER.
 4. ALL BASINS SHALL HAVE A 4-INCH INSPECTION TUBE INSTALLED WITH SCREW CAP. (SEE DETAIL STM-14)



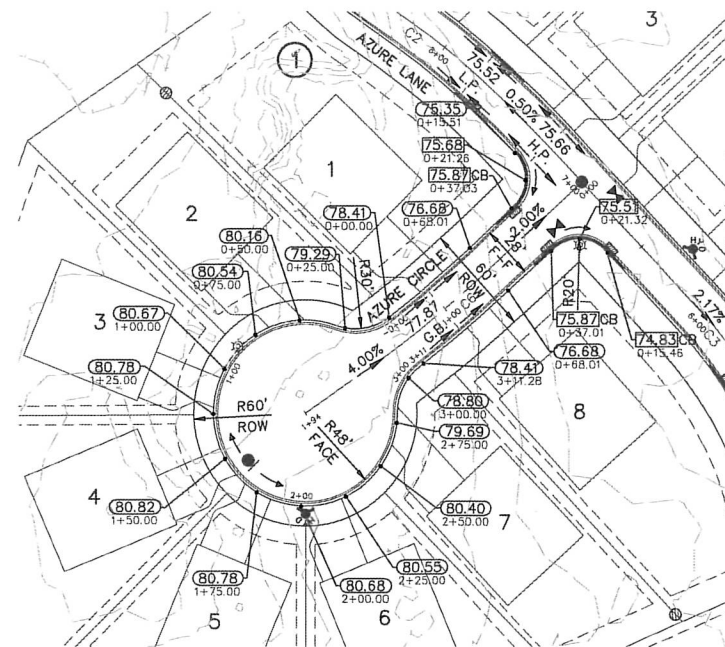
BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV. = 980.18



- ① 18' FOR PARKING ON BOTH SIDES OF STREET
14' FOR PARKING ON ONE SIDE OF STREET
- ② 12' FOR PARKING ON BOTH SIDES OF STREET
16' FOR PARKING ON ONE SIDE OF STREET

1. ALL RADI SHALL BE 88 CURB AND GUTTER WITH 10' TRANSITIONS FROM EACH SIDE OF RADIUS.
2. FOR CATCHBASIN TRANSITIONS SEE STR-07
3. DRAIN TILE SHALL BE INSTALLED AT ALL CATCHBASINS AND AS DIRECTED BY THE ENGINEER.
4. BOTH CONCRETE SIDEWALK AND BITUMINOUS TRAIL TO BE INSTALLED ON URBAN COLLECTOR STREETS.
5. TRAIL SHALL BE INSTALLED ON THE NORTH AND EAST SIDE OF STREET.
6. SIDEWALK TO BE INSTALLED ON THE SOUTH AND WEST SIDE OF STREET.
7. SEE STR-16 FOR TRAIL AND SIDEWALK SECTIONS
8. SIDEWALK AND TRAIL TYPICALLY PLACED 12' FROM PROPERTY LINE
9. MUST MAINTAIN A MINIMUM OF 6' BOULEVARD FOR SNOW STORAGE.
10. IF STREET IS PLACED ON A 50' RIGHT OF WAY A SIDEWALK EASEMENT WILL BE REQUIRED TO MAINTAIN THE 6' BOULEVARD FOR SNOW STORAGE.

URBAN STREET SECTION
LOCAL STREET (N.T.S.)

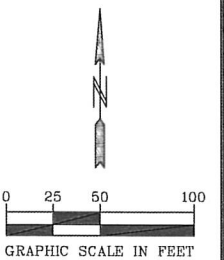


CURB LEGEND

- 08.15 = GUTTER LINE ELEVATION FOR D428 SURMOUNTABLE CURB
- 08.32 = GUTTER LINE ELEVATION FOR B618 CURB
- 07.82 = BITUMINOUS ELEVATION
- == SURMOUNTABLE D428 CURB & GUTTER (CITY PLATE STR-06)
- == B618 CURB & GUTTER (CITY PLATE STR-06)
- == BITUMINOUS EDGE

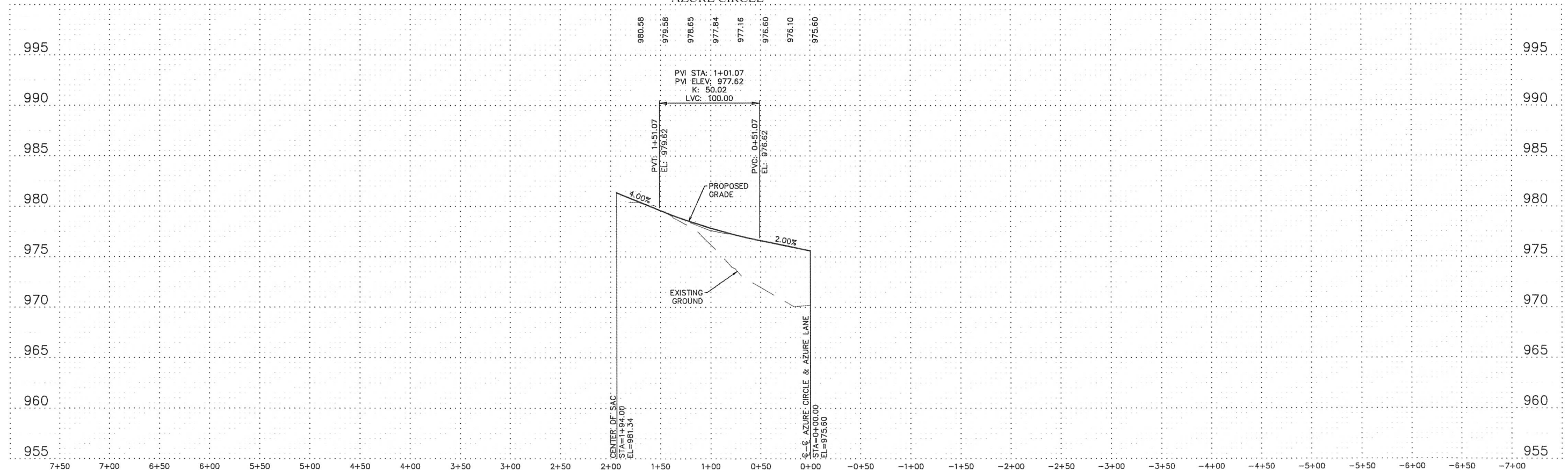
CURVE TABLE

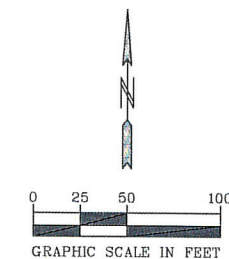
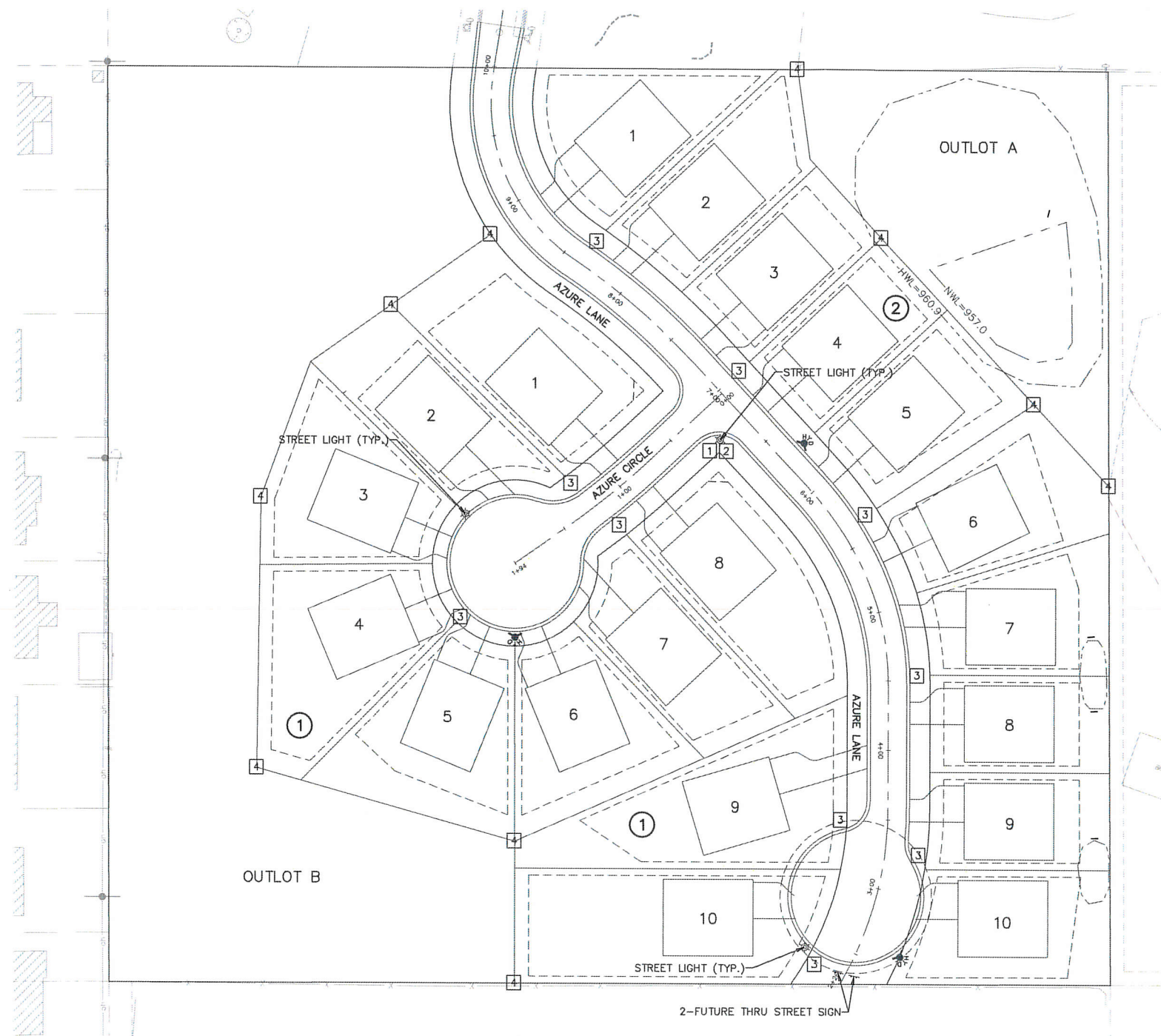
CURVE	DELTA	LENGTH	RADIUS	TANGENT	PC	PT
C6	7'58'46"	83.56	600.00	41.85	0+68.01	1+51.57



BENCH MARK
TOP OF NUT HYDRANT
EAST SIDE OF AZURE LANE
SOUTH OF AZURE CT.
ELEV.= 980.18

AZURE CIRCLE





BENCH MARK
 TOP OF NUT HYDRANT
 EAST SIDE OF AZURE LANE
 SOUTH OF AZURE CT.
 ELEV.= 980.18

SIGNAGE LEGEND					
1		R1-1	3		R8-3
2	STREET SIGNS "AZURE LANE" "AZURE CIRCLE"		4	CONSERVATION AREA SIGN (PROVIDE 4X4 TREATED WOOD POST)	

PLANNING REPORT

CITY OF INVER GROVE HEIGHTS

HEARING DATE: September 3, 2019

CASE NO.: 19-37V

APPLICANT AND PROPERTY OWNER: City of Inver Grove Heights

REQUEST: A variance to exceed the maximum size of a sign in the P, Institutional Zoning district

LOCATION: 8055 Barbara Avenue

COMP PLAN: P/I, Public/Institutional

ZONING: P, Institutional

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner



BACKGROUND

The Inver Grove Heights Veterans Memorial Community Center is a multi-use building located in the southwest quadrant of 80th Street and Hwy 52. There is currently one freestanding sign on the property located at the corner of 80th Street and Barbara Avenue. The sign is 69 square feet in size and was constructed in 2001. The existing sign has been in need of repair for some time. For better visibility and identification purposes the City would like to replace the existing sign with one new LED multi-color messaging center up to 100 square feet in size.

The P district allows for one freestanding sign, up to 75 square feet in size on the property. The proposed sign would be in compliance with setbacks and height requirements. The size, although exceeding the 75 square foot maximum, would be less than 100 square feet in size. The majority of commercial and industrial districts allow freestanding signs up to 100 square feet in size.

SPECIFIC REQUEST

The following specific application is being requested:

- 1) A variance from the maximum size requirements for a freestanding sign.

SURROUNDING USES

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

North – Residential; zoned R-1B & R-1C; guided LDR, low density residential

East – Funeral Home; zoned B-2 and P; guided CC, Community Commercial & P/I

West – Single family; zoned A, Agricultural; guided IOP, Industrial Office Park

South – City Buildings; zoned P, Institutional; guided P/I

EVALUATION OF REQUEST

VARIANCE REVIEW

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 purpose of the sign code is to regulate the placement, erection, and maintenance of signs in the city so as to promote the health, safety and general welfare of its residents. The variance request does not appear to be in conflict with this general purpose. The application is not contrary to the Comprehensive Plan as the future land use is public/institutional and a community center is an approved land use in this district.

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

The total signage on the site is well within the total aggregate allowed on the property. Additionally, the proposed sign would be under 100 square feet, complying with the maximum freestanding sign requirements in other districts. The proposed sign does not appear to conflict with any other performance standards of the zoning ordinance such as setbacks and height requirements.

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

The intent of the larger sign will be to serve a public purpose by identifying the site and to inform the public of upcoming activities. The site is unique in that it is a multi-use building, it is the home of the Veterans Memorial Community Center, The Grove, and American Legion Post No. 424. The larger identification sign would help locate the VMCC in a safe manner.

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

When looking at the size of the property, location and size of the building, large right-of-way of 80th Street, and the proximity to Hwy 52, a larger sign to help identify the uses in the building does not appear to affect the character of the locality.

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

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

ALTERNATIVES

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

A. Approval If the Planning Commission finds the variance request to be acceptable, the Commission should recommend approval of the request with at least the following condition(s):

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.

B. Denial If the Planning Commission does not favor the proposed request, it should be recommended for denial and state findings for a denial.

RECOMMENDATION

The request is not out of character for the neighborhood and is consistent with the comprehensive plan. A 100 square foot sign is allowed in commercial and industrial districts. The additional size does not appear to have any adverse impacts on the neighboring properties. Staff believes a practical difficulty can be found based on the fact the sign serves a public purpose by identifying the Community Center along with informing the public of upcoming activities.

Based on the information in the preceding report and the condition listed in Alternative A, staff is recommending approval of the requested variance.

Attachments: Location/Zoning Map
Applicant Narrative
Sample elevation



8055 Barbara Ave Case No. 19-37V



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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

Request for Variance for Veterans Memorial Community Center Building Identification Sign

Narrative

The current Veterans Memorial Community Center (VMCC) identification sign was installed in 2001, 18 years ago. The messaging center portion of the sign no longer functions, and a replacement sign is necessary to improve the appearance of the sign and provide improved technological functionality. Staff recommends replacing the current sign with a new back lit LED sign and messaging center for location identification, marketing and communication needs of the City.

A design has been created for a new sign that is 96 square feet and meets the needs and interests of the City. The current code requirement is 75 square feet and staff is requesting a variance of up to 100 square feet for the new sign.

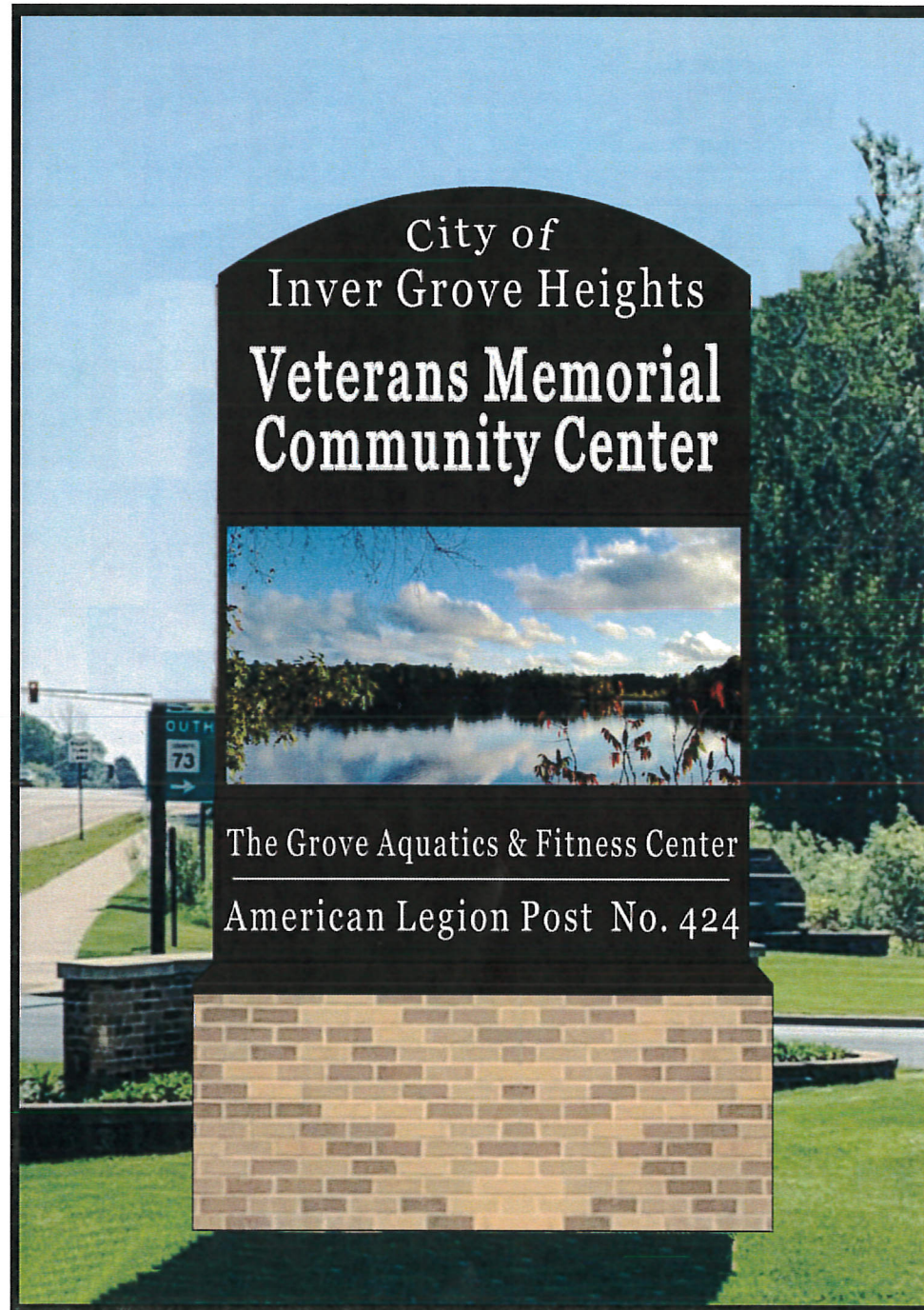
The proposed sign has two main elements, a back lit LED sign for identification and facility finding purposes which is 64 square feet of the sign and a digital LED multi-color messaging center for marketing and informational purposes which is 32 square feet of the sign. Including the updated messaging center is a key component of the sign and it conforms with updated technical requirements. The new message center will provide marketing and communication for upcoming events, programs and services offered by the Community Center, the Parks and Recreation department and other City needs.

The recommended size for lettering on signs for visibility purposes is a minimum of 12 inches. The "Veterans Memorial Community Center" letters on the proposed sign, are the only letters that meet this minimum size. In order to meet the current code limits, the sign would need to be reduced to a size where the lettering would likely be too small to read while driving past. The existing sign installed in 2001 was allowed a variance from the code at the time of 37%. The variance being sought for the new sign is 28%.

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PROPOSED EXTERIOR SIGNAGE:

INSTALL NEW ROUTED ALUM. D/F CABINET WITH 3/4 PUSH-THRUS,
ADDITIONAL D/F LED-LIT CABINET WITH ACYLIC FACE 'HOME OF..
AND D/F 16mm FULL COLOR WATCHFIRE MESSAGE CENTER



 PYLON ELEVATION
 $3/8" = 1'-0"$

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Client: Veterans Memorial
Community Center
Inver Grove Heights, MN

Date: June 05, 2019

Drawing Number:
RB3082 - 06-05-2019

Sales Person:
Rick Ballantyne

Scale:
 $\frac{1}{2}$ " Inch = 1 foot

Revisions:	
DATE:	DESCRIPTION:
1 00-00	NA
2 00-00	NA
3 00-00	NA
4 00-00	NA
5 00-00	NA
6 00-00	NA

Drawn by:
Austin Odom

CLIENT/LANDLORD APPROVAL
☐ APPROVED
☐ APPROVED AS NOTED
☐ REVISE AND RESUBMIT

Signature: _____
 Title: _____
 Date: _____

SIGNATURE ABOVE ACKNOWLEDGES THAT ALL SPECIFICATIONS AND
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