INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA
TUESDAY, MAY 5, 2020 – 7:00 p.m.

NOTICE TO RESIDENTS: Due to public facilities being closed during the State Emergency Order, people wishing to testify at the public hearing should call into the meeting using the following information:

Phone number: **1-866-899-4679** Access Code: **888 600 109**

Individuals may submit written public comments in advance of the meeting by emailing comments to Kim Fox (kfox@invergroveheights.org). Comments received prior to 4:00 p.m. on Monday, May 4, 2020, will be provided to the Planning Commission before the May 5, 2020 meeting.

1. CALL TO ORDER

2. APPROVAL OF PLANNING COMMISSION MINUTES FOR APRIL 21, 2020

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 DAKOTA ELECTRIC - CASE NO. 20-09C

Consider a conditional use permit to install a 58' antenna whereas 52.5' is the maximum height allowed in the Agricultural zoning district. This request is for the property located at 10583 Barnes Avenue..

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Kim Fox at 651.450.2545 or kfox@invergroveheights.org

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, April 21, 2020 – 7:00 p.m.
REMOTE MEETING

Chair Maggi called the Planning Commission meeting to order at 7:10 p.m.

Commissioners Present:	Pat Simon Tony Scales Joan Robertson Jonathan Weber Elizabeth Niemioja Annette Maggi Brett Kramer Armando Lissarrague Dennis Wippermann
Commissioners Absent:	
Others Present:	Allan Hunting, City Planner Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the March 4, 2020 and March 17, 2020 Planning Commission meeting were approved as submitted.

KURT McMCLUNG – CASE NO. 19-40S

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a two-lot subdivision for the property located at 6180 Babcock Trail. 32 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to subdivide his property into two parcels. The southern lot would include the existing home and the northern lot would be vacant with the intent of a single-family home being built on it. The property is zoned R-1B, Single-Family Residential and is guided LDR, Low Density Residential. The lot is also located within the Shoreland Overlay District. The plat is consistent with the zoning and comprehensive plan designations and the applicant has demonstrated that a new single-family home could be constructed on proposed Lot 1, complying with the required setbacks. The new home would be connected to City water and sewer and a custom grading agreement would be required prior to the issuance of any building permits. Since the property is on a County road, the Dakota County Plat Commission reviewed the request and is asking that the existing driveway remain and that the proposed vacant lot create a new access opening that would be a shared driveway with the parcel to the north, if developed. Staff recommends approval of the request with the conditions listed in the report. Staff heard from one neighbor, who had general questions but provided no additional comments.

Opening of Public Hearing

Kurt McClung, 6180 Babcock Trail, advised he was available to answer any questions.

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

Mr. McClung replied in the affirmative.

Chair Maggi closed the public hearing.

Planning Commission Recommendation
Motion by Commissioner Weber, second by Commissioner Scales, to approve the request for a preliminary and final plat for a two-lot subdivision for the property located at 6180 Babcock Trail, with the conditions listed in the report.

Motion carried (9/0). This item goes to the City Council on May 11, 2020.

ALLIANT VENTURES III, LLC – CASE NO. 19-53PUD

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from E-1, Estate Residential to R-1C, Single-Family Residential, a preliminary plat for a 14-lot, five outlot single-family subdivision to be known as Inver Grove Trail, a variance from minimum lot size and lot width standards, a variance from front yard and side yard setbacks, and a conditional use permit for certain lots to exceed allowed impervious surface, for the property located at 9697 Inver Grove Trail. 38 notices were mailed.

Presentation of Request
Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant has submitted an application to develop a 15-acre parcel into 14 single-family lots, four outlots for storm ponding and one outlot for future development. The eastern half being developed at this time is approximately 4.5 acres. There are several constraints on the property that limit the development potential, including an NSP easement, two wetlands, a private easement for the properties to the north, and topography that divide the west and east halves of the property. The proposed lots range in size from approximately 8,500-14,600 square feet, with the average lot size being 11,500 square feet. Nine of the 14 lots are less than 12,000 square feet and lot widths range from 60-85 feet at the front setback. They are proposing a 25-foot front yard and rear yard setback whereas 30 feet is required. They are also asking for flexibility from the standard 10-foot house, five-foot garage side yard setbacks; however, side yards would still maintain a 15-foot total separation. The applicant is requesting variances from lot size standards and building setbacks. The applicant is requesting a conditional use permit (CUP) to allow some of the lots to exceed the maximum impervious surface. That extra coverage is already addressed in their Storm Water Management Plan. The access would be a public street off Cahill Avenue. Mr. Hunting noted that Commissioners received copies of emails from neighbors with concerns about the access point on Cahill. Park dedication would be by cash contribution and the developer would be required to construct a trail along Cahill Avenue. The applicant's landscape plan will have to be modified to provide additional plantings. Since the wetlands are being impacted by this development, a wetland mitigation plan must be approved by the reviewing body and the city, and the DNR must approve any impacts to their wetland. Phase I and Phase II investigations have indicated some site contamination on the property. Therefore, an environmental construction contingency plan must be approved by the MPCA prior to any land disturbance. Staff recommends approval of the request with the conditions listed.

Chair Maggi referred to Lot 12 being 200 square feet over the maximum impervious surface and asked what the total square footage was of that lot.

Commissioner Simon noted that there was a typo in the report and that it was actually Lot 4 that

was 200 square feet over. She noted that that needs to be changed in the CUP as well.

Mr. Hunting replied that Lot 4 is 10,000 square feet.

Chair Maggi asked for if the applicants were asking for an additional 20% of impervious surface for that lot; however, only an additional 10% was allowed by CUP.

Mr. Hunting replied in the affirmative.

Chair Maggi asked for clarification of the discrepancy between the lot widths listed in the applicant's narrative versus what was listed in the planning report.

Mr. Hunting stated he believed the correct lot widths to be 60-65 feet.

Chair Maggi asked if 85 feet was required.

Mr. Hunting replied in the affirmative.

Commissioner Weber asked what the approved lot width was for the proposed Scenic Hills development off 80th Street.

Mr. Hunting replied that his recollection was that they were 60 feet or less.

Commissioner Weber stated that Scenic Hills were the smallest lots they had looked at since he had served on the Planning Commission.

Mr. Hunting agreed, stating these lots would be larger than those in Scenic Hills and would have larger side yard setbacks as well.

At Commissioner Wippermann's request, Mr. Hunting showed where the MUSA line was located in this area.

Commissioner Simon asked if it went all the way to Koch Refinery.

Mr. Hunting replied that he could not recall offhand.

Commissioner Wippermann asked if the properties southeast of this project were included in the MUSA.

Mr. Hunting replied they were not within the MUSA boundary.

Commissioner Wippermann asked for clarification of why the memo from Alliant Ventures referred to requesting lot widths be reduced to a 70-foot minimum yet the plans showed lot widths in the 60's.

Mr. Hunting suggested they ask the developer to respond to that question.

Commissioner Simon asked if the trail connection was a requirement and if it was separate from the park dedication requirement.

Mr. Hunting replied in the affirmative, stating they would be required to do the standard park dedication, but because there was a planned trail along the east side of Cahill there was an additional requirement to construct a trail.

Commissioner Simon asked if the tree shortage in the existing landscape plan should be addressed in the conditions of approval.

Mr. Hunting replied that Condition 8 requires that the landscape plan be modified to meet the requirement to both the street tree requirement and tree preservation reforestation.

Commissioner Simon asked if the fire marshal was okay with the 7.5-foot side yard setback.

Mr. Hunting replied there would still be the standard 15-foot separation between houses.

Commissioner Simon questioned how a fire truck would get to the back side of a building that was on fire.

Mr. Hunting did not think this was different than any other development on a cul-de-sac.

Commissioner Simon asked if the engineering comments would be addressed prior to the final plat going to City Council.

Mr. Hunting replied in the affirmative, stating that Condition 5 requires that plans be approved by the City Engineer prior to going to City Council for the final plat.

Commissioner Simon asked what would happen if the DNR and MPCA did not give their approvals before the final plat.

Mr. Hunting replied that the final plat would not go to City Council until receiving approval from those two agencies.

Opening of Public Hearing

Bob Machacek, 4655 Nichols Road, Eagan, advised he was available to answer any questions.

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

Mr. Machacek replied in the affirmative.

John Molinaro, Pioneer Engineering, advised that their plans changed a few times throughout the process, and he believes that the request to have a 70-foot lot width minimum was a typo in the memo.

Commissioner Wippermann advised the he preferred 70-foot lots over 60-foot lots.

Chair Maggi asked if the houses would have two-car or three-car garages.

Mr. Machacek replied that they had not yet selected a builder but assumed they would have three-car garages.

Chair Maggi asked if they had considered taking one lot out which would likely result in the remaining lots complying with zoning standards.

Mr. Machacek advised that they looked at several revisions; however, the problem lies in making this site economically viable with the amount of clean up needed.

Mark Stangl, 10120 Cloman Path, stated he had traffic and safety concerns with the proposed

entrance/exit off Cahill Avenue, especially with bus traffic and the sharp curve on Cahill. He would prefer to see the access off Inver Grove Trail.

Chair Maggi asked staff to address moving the entrance/exit to Inver Grove Trail.

Mr. Hunting replied that they had discussions of that early on and determined that neither option is ideal. They ended up moving it to Cahill as putting it on Inver Grove Trail would bring the access closer to the intersection and it would be difficult to construct a turn lane with the limited space.

Mr. Molinaro stated that they looked at both entrances; however, there is a landlocked basin on the northern part of the parcel. If they were to put an entrance/exit onto Inver Grove Trail it would create a dam which would negatively affect the emergency overflow and could result in flooding out the neighboring home.

Commissioner Niemioja asked staff if there had been any discussions with the school district regarding traffic issues, stating her understanding is that they are looking at reconfiguring the Pine Bend Elementary property so as to contain more of their daily traffic.

Mr. Hunting replied that they had not spoken to the school specifically about their plan as it relates to this development but did send them a public hearing notice to which they did not respond.

Commissioner Robertson commented that she has driven both Cahill Avenue and Inver Grove Trail to Pine Bend Elementary almost daily for the last three years. From her perspective Inver Grove Trail has serious deficiencies as an entrance/exit point to the proposed development. The road is in serious disrepair and it also takes anyone leaving that development further away from any entrance onto Highway 52, which would be a significant inconvenience. In her experience she has never seen a situation on Cahill where there were more than three or four cars at the stop sign and she noted that the morning buses arrive at staggered times and would be on the opposite side of Cahill Avenue from people exiting the development. In the afternoon, buses would leave the school at the same time, but half would go the other direction and would likely cause only a minor traffic delay. She has never seen that intersection be problematic and did not see an issue with adding only 14 homes.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Chair Maggi suggested they approve the various requests individually, with the rezoning being first.

Motion by Commissioner Simon, second by Commissioner Niemioja, to approve the request for a rezoning of the property from E-1, Estate Residential to R-1C, Single-Family Residential.

Motion carried (9/0).

Chair Maggi suggested they discuss the variance requests next.

Commissioner Wippermann was opposed to 60-foot lots and would prefer to see 70-foot lots as a compromise from the 85-foot standard.

Commissioner Scales did not think this development fit the character of the neighborhood and he would prefer to see them remove one or two homes from the plat.

Commissioner Robertson advised that she would be inclined to approve the smaller lot sizes and

setbacks because of the anticipated expense of cleaning up the contamination and meeting the MPCA and DNR requirements. In her opinion they can balance the risk the applicant has taken by giving them an opportunity to maximize the potential return.

Commissioner Niemioja agreed with most of Commissioner Robertson's comments and stated she does think this fits the character of the neighborhood, especially as you move into the neighborhoods north of Cahill.

Commissioner Scales stated there were no lots this size in the area and in his opinion removing one house from the plat would fix all the problems.

Commissioner Niemioja noted the high cost of remediation.

Commissioner Scales responded that just because someone is willing to foot the bill does not mean they should be allowed to build whatever they want.

Chair Maggi stated her concern was the lot size and the need for variances. If they are going to put three-car garages on these homes she is concerned about the potential for future variance requests due to the tight lot sizes once people want to start adding decks, etc.

Commissioner Simon did not support 60-foot lots and would prefer a 70-foot minimum.

Chair Maggi noted that many of the lots were small in area in addition to the narrowness.

Commissioner Robertson struggled with denying a request because of the potential for future variance requests, stating that residents have the right to request variances.

Chair Maggi would argue that that is their right if they are following the standard rules around lot size; however, in this case we are already making allowances.

Commissioner Robertson stated if a variance was requested in the future for this development the Planning Commission would likely deny it, but residents have the right to request it.

Commissioner Scales stated that using that standard Commissioners would deny this one.

Commissioner Kramer stated they might be jumping the gun a bit to assume that the end buyer of the home would come in for another variance. It seemed unfair to the applicant to deny the request based on the potential for a homeowner to request a future variance.

Motion by Commissioner Robertson, second by Commissioner Niemioja, to approve the request for a variance from minimum lot size and lot width standards, and from front yard and side yard setbacks, with the practical difficulty as stated in the report.

Motion failed (4/5 – Lissarrague, Wippermann, Scales, Simon, Maggi).

Motion by Commissioner Scales, second by Commissioner Wippermann, to deny the request for a variance from minimum lot size and lot width standards, and from front yard and side yard setbacks, due to the practical difficulty being created by the number of lots they want to develop.

Commissioner Weber asked if instead of a denial, could the Planning Commission make a motion to approve with a recommendation for a 70-foot minimum lot width.

Chair Maggi questioned whether it mattered which route they went since the plat would change

whether they denied the variances or approved with a 70-foot minimum lot width.

Commissioner Weber stated he preferred making a motion to approve with 70-foot lot widths over denying the request as the approval motion would provide direction to the applicant when redesigning the final plat.

Commissioner Simon noted that the conversation would be recorded in the meeting minutes.

Mr. Hunting stated it would be more beneficial to the applicant and City Council to have a motion that provided guidance rather than them having to refer back to the minutes.

Commissioner Robertson noted that if the lot widths are widened to 70-feet that might also address some of the impervious surface overages.

Commissioner Scales advised that he was amending his previous motion to deny and was instead making a motion to approve with a 70-foot lot width minimum.

Commissioner Wippermann seconded the amended motion.

Motion by Commissioner Scales, second by Commissioner Wippermann, to approve the request for a variance from front yard and side yard setbacks, and from minimum lot size and lot width standards with a minimum lot width of 70-feet at the front setback.

Motion carried (9/0).

Chair Maggi questioned whether they should table the preliminary plat request or vote on it since it was likely no longer a 14-lot plat.

Mr. Hunting advised that they could either table until the applicant provided a revised plan or approve with an added condition that all lots shall meet a 70-foot minimum lot width at front building setback.

Chair Maggi asked if they could approve this without actually seeing the revised plat.

Mr. Hunting replied in the affirmative.

Commissioner Weber stated that the City Council, however, would see it.

Commissioner Scales stated if it meets the requirements, he does not need to see the plat again.

Motion by Commissioner Weber to approve a preliminary plat for a 14-lot, five outlot single-family subdivision to be known as Inver Grove Trail subject to the 16 conditions listed in the report and an additional Condition 17 requiring a minimum lot width of 70-feet at the front setback.

Commissioner Simon asked if the 14-lot reference should be included in the motion since it would likely be less than 14-lots because of the 70-foot lot width minimum.

Chair Maggi asked Commissioner Weber if he would be comfortable amending his motion to strike the 14-lot reference.

Commissioner Weber agreed to amend his motion.

Motion by Commissioner Weber, second by Commissioner Scales, to approve a preliminary plat for a single-family subdivision to be known as Inver Grove Trail, subject to the 16 conditions listed in the report and an additional Condition 17 requiring a minimum lot width of 70-feet at the front setback.

Motion carried (9/0).

Chair Maggi stated the remaining request was for a CUP for Lots 1,3, and 4; however, if a 70-foot lot width is required these lots may no longer exceed the impervious surface standard.

Commissioner Weber asked staff for clarification of what would happen if this request was tabled.

Mr. Hunting advised that if the request was tabled the applicant would have to come back as no action would have been taken.

Commissioner Scales questioned whether Commissioners should approve the request since it was unknown whether Lots 1, 3, and 4 would still exceed the impervious surface standards after widening the lots.

Commissioner Niemioja stated depending on how this plat gets redesigned these lots may not even exist.

Commissioner Weber asked if the applicant would still have to come back to the Planning Commission if they tabled it, but it was determined after being redesigned that a CUP was no longer needed.

Mr. Hunting responded that it would still have to come back for a motion.

Chair Maggi questioned whether approving the CUP, which is tied to the property, would allow the individual owner of that lot the ability to build additional items on the lot with the extra impervious surface.

Mr. Hunting responded that the Planning Commission's action tonight would not tie this to anyone being able to have more impervious surface, even if the lot eventually increased in size and the proposed coverage fell below the maximum. When this goes to City Council there would have to be clarification of which lots would still need a CUP.

Commissioner Simon questioned whether they should mention Lots 1, 3 and 4 since changing the plan could result in more impervious being added to another lot that they had not even considered.

Mr. Hunting stated in that case they would have to come back because that lot had not been addressed in the public hearing. The motion could state you are recommending approval of a CUP on the assumption of Lots 1, 3 and 4, with the understanding that they may go away.

Commissioner Scales asked if they could deny the CUP request and let Council take action with the final plat at which time they will know exactly what lots they are.

Mr. Hunting replied in the affirmative, and added that if Commissioners go that route it would be best to explain the reason for denial as he is assuming Commissioners are not opposed to it, just prefer not to make a positive recommendation because the lots could change.

Chair Maggi stated from her perspective they do not really know what they would be approving so she would recommend denial due to the lack of accurate information.

Commissioner Niemioja agreed that the lack of definitive lot lines was a good basis for denial.

Motion by Commissioner Weber, second by Commissioner Niemioja, to deny the request for a conditional use permit for certain lots to exceed allowed impervious surface, for the property located at 9697 Inver Grove Trail, based on lack of definitive lot size and line configurations with the recommended lot width change.

Motion carried (9/0). This item goes to the City Council on May 11, 2020.

UNITED PROPERTIES – CASE NO. 20-08PDA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit (CUP) to allow manufacturing and assembly in the Industrial Open Space District over Lot 1, Block 1, Inverpoint Business Park First Addition, for 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 the applicant has submitted the final plat and final development plan for building 1 of the Inverpoint Business Park First Addition. The building will be 80,000 square feet in size and is the eastern most building of the project. The two eastern most access points would be built with this phase, with trucks being required to use the eastern entrance. Staff recommends approval of the request.

Commissioner Niemioja asked how Condition No. 5 would be enforced regarding allowed hours of operation.

Mr. Hunting replied that Code Enforcement would address that issue if there was a violation.

Opening of Public Hearing

Connor McCarthy, United Properties, 651 Nicollet Mall, Minneapolis, advised he was available to answer any questions.

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

Mr. McCarthy replied in the affirmative. He thanked staff for helping facilitate discussions with his team and the neighbors. United Properties is working with a tenant from a surrounding community who is looking forward to relocating to IGH. They are a world leader in their field and a growing manufacturer of residential and commercial structural products. This company will bring mixed job types and incomes.

Commissioner Niemioja asked the applicant how they planned to enforce the hour of operation restrictions listed in the conditions of approval.

Mr. McCarthy replied that United Properties will hire a property management company to oversee the property. That person, as well as a team of engineers, will be responsible for checking the site frequently and checking in with the tenant. In this case they also may write something into the agreement regarding periodic site visits. He does not believe there will be issues and they plan to post signs and be receptive to any complaints the neighbors may have.

Chair Maggi closed the public hearing.

Planning Commission Discussion
Commissioner Scales was pleased to see this project moving forward.

Commissioner Simon asked if they should address the email the Planning Commission received regarding walking paths.

Chair Maggi thought that had been addressed with the last approval for this property.

Commissioner Simon could not recall the final determination regarding location and when it would be built.

Commissioner Niemioja asked staff to address the walking path.

Mr. Hunting clarified that the conditions of approval state that the City my install the trail after the first 200,000 square feet is occupied. There is no requirement that it must go in, and he believes it was determined to be on the south side of Courthouse Boulevard. United Properties signed an assessment waiver of appeal because they would be assessed for the cost of that at the time it was constructed. It is not required with this phase because they are only constructing 80,000 square feet.

Planning Commission Recommendation
Motion by Commissioner Simon, second by Commissioner Lissarrague, to approve the request for a conditional use permit (CUP) to allow manufacturing and assembly in the Industrial Open Space District over Lot 1, Block 1, Inverpoint Business Park First Addition, for property located between Courthouse Boulevard and Highway 55, west of Barnes Avenue, with the seven conditions listed in the report.

Motion carried (9/0). This item goes to the City Council on April 27, 2020.

OTHER
Commissioner Niemioja asked if the language in the public notices would be revised to reflect that the meetings were virtual rather than being held in Council Chambers.

Mr. Hunting advised that staff has modified the language going forward to reflect current conditions and addressing how to access plans and participate in meetings.

Commissioner Scales asked how long the meetings would be held virtually.

Mr. Hunting replied that he believed this was only temporary until the Stay at Home order was lifted and City facilities reopened.

The meeting was unanimously adjourned at 8:46 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

HEARING DATE: May 5, 2020 **CASE NO.:** 20-09C

APPLICANT & PROPERTY OWNER: Dakota Electric Association

REQUEST: Conditional Use Permit to install a 58 foot antenna whereas 52.5 feet is the maximum height allowed in the A, agricultural district

LOCATION: 10583 Barnes Avenue

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is requesting a conditional use permit to install a monopole antenna 58 feet in height whereas 52.5 feet is the maximum height allowed in the agricultural zoning district. The antenna would be installed as part of the permitted use of a substation on the property. The substation is designed and sized for two transformers and associated switchgear. The antenna would be used to provide internal communication back to the Dakota Electric control center. The property is 1.4 acres in size and surrounded by vacant land owned by Flint Hills. A CUP for an antenna was approved for the site in 2008, the antenna was not installed and therefore the CUP became void. The site grading, storm water management system and vegetation establishment were completed during 2008-2009 construction seasons in accordance with the original Council approval.

The following specific application is being requested:

- A **Conditional Use Permit** to allow an antenna in excess of 52.5 feet in the Agricultural district

EVALUATION OF THE REQUEST

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

North, South, East and West: Vacant property owned by Flint Hill Resources; zoned A; guided RDR, Rural Density Residential

SITE PLAN REVIEW

Access. The access for the site is off Barnes Avenue which is a local city street.

Setbacks. Tower setbacks must equal the height of the tower. The tower is 58 feet in height; the closest property line to the tower is 58 feet away, complying with setback requirements.

Engineering. The site grading, storm water management system and vegetation establishment were completed during 2008-2009 construction seasons in accordance with the original Council approval. The grading, storm water management system and vegetation establishment have been approved by the City Engineer's Office, as-builts received and sureties released.

Landscaping/Screening. A landscape plan was approved with the 2008 request. No additional landscaping would be required for the antenna.

Lighting. The site plan does not show any details of lighting for the property. If lighting is installed all exterior lighting shall be diffused or directed away from all property lines and public right-of-ways. The direct source of light shall not be visible from any abutting property or public right-of-way.

Conditional Use Permit (CUP)
The CUP request to allow a single monopole tower taller than 52.5 feet in height is reviewed below against the standards found in the Zoning Ordinance, Section 10-3A:

1. *The uses are consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*
   The approved use of a substation is consistent with Comprehensive Plan. It is an essential service and helps supply the area with a reliable local source of energy. The proposed antenna is accessory to the substation use and consistent with the uses envisioned for the site.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*
   This standard is met. The proposed use is a conditionally permitted uses in the zoning code.

3. *The use would not be materially injurious to existing or planned properties or improvements in the vicinity.*
   This standard is met. The proposed uses will not create any adverse physical impacts upon the neighborhood. The closest abutting home is over 500 feet away from the proposed antenna/substation.

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.*
   This standard is met. The proposed use would not have an undue adverse impact to city utilities.

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

a) *Aesthetics/exterior appearance*
The proposed antenna is 58 feet in height and a self-supporting monopole structure. The agricultural zoning district allows for towers/poles to be 52.5 feet high, the additional 5.5 feet should not make a difference aesthetically to the surrounding area.

b) *Noise*
The antenna would not provide additional noise to the allowed use of a substation.

c) *Traffic*
The installation of the tower would reduce the amount of truck traffic to the site as Dakota Electric would be able to remotely operate the substation.

d) *Drainage*
The City Engineering Department would review drainage and erosion control at the time of any building permits for the site.

e) *Fencing, landscaping and buffering*
A chain link fence is located around the site for security purposes and landscaping was installed with the original approval. No additional landscaping would be required.

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.*
This standard has been met.

7. *The use does not have an undue adverse impact on the public health, safety or welfare.*
Staff is not aware of any public health, safety or welfare issues associated with the proposal. This standard has been met.

ALTERNATIVES

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

A. **Approval** If the Planning Commission finds the application acceptable, the Commission should recommend approval of the Conditional Use Permit to allow an antenna 58 feet in height in the Agricultural zoning district with 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 01/30/20

2. Prior to issuance of building permits grading and erosion control shall be approved by the City Engineering Department.

3. All exterior lighting shall be diffused or directed away from all property lines and public right-of-ways. The direct source of light shall not be visible from any abutting property or public right-of-way.

4. The City Code Enforcement Officer, or designee, shall be granted right-of-access to the property at all reasonable times to determine compliance with the terms of the Conditional Use Permit.

B. **Denial**. If the Planning Commission does not favor the proposed application, or portions thereof, 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 conditional use permit as requested.

Attachments: Exhibit A – Location and Zoning Map
Exhibit B – Applicant Narrative
Exhibit C - Site Plan

Case No. 20-09C
10583 Barnes Avenue

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

DAKOTA ELECTRIC ASSOCIATION
Your Touchstone Energy® Cooperative

A locally owned, nonprofit electric utility

An Affirmative Action/Equal Opportunity Employer

Conditional Use Permit for Communication Antenna at the Rich Valley Substation/Barns Grove Substation

Dakota Electric Association (DEA) is requesting a Conditional Use Permit allow for an antenna pole at a height of 58-feet. This application is being presented due to the earlier application expiring prior to the installation of the original pole that was approved in 2008. DEA is proposing to place the 58-foot antenna pole as a part of the distribution substation in for communication purposed in order to be able to remotely operate the substation from the dispatch center as contact with operations in the field.

This site has been analyzed and it has been determined that the communication antenna would need to be at a height of 58-feet in order to effectively communicate with the offices in Farmington. This will allow for DEA to operate the substation remotely and instantly from the dispatch center rather then sending personal and trucks out to manually operate the system in response to outages. This tower is for the exclusive use of Dakota Electric Association and Great River Energy, the electrical transmission provider.

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#102

C. S. A. H. NO. 73

105TH STREET EAST

105TH STREET EAST

BARNES AVENUE

N

O.H.

210.0

90.0

50.0

130.0

30.0

290.0

150.0

115.0

95.0

50.0

58.0

210.0

290.0

ANTENNA MAST

BARNES AVENUE

0 30 60

PRELIMINARY

REV.	DATE	DRAWN	DESCRIPTION	WORK ORDER	CHKD	APPD	DATE

DAKOTA ELECTRIC ASSOCIATION
FARMINGTON MINNESOTA

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

NAME

SIGNATURE

DATE REGISTER NO. 00000

BARNES GROVE SUBSTATION
PLOT PLAN

CHECKED		SCALE	1" = 30'-0"
DATE		W.O. NO.	162330
DRAWN	JCG	MAP NO.	A3-28CB
DATE	01/30/20	DWG. NO.	BG-PP-01