

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA
TUESDAY, DECEMBER 21, 2021 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. CALL TO ORDER

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR NOVEMBER 16, 2021.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 AT HOME APARTMENTS - CASE NO. 21-45PUD

Consider the following requests for the property located at the Northwest quadrant of Hwy 3 and 70th Street:

- a) A Comprehensive Plan Amendment for Lot 1, Block 2 from HDR, High Density Residential to MDR, Medium Density Residential.

Planning Commission Action _____

- b) A Rezoning from A, Agricultural District to R-3B. Multiple Family Residential, Planned Unit Development for Lot 1, Block 1 and Lot 1, Block 2.

Planning Commission Action _____

3.02 BLUE RIBBON BUILDERS - CASE NO. 21-63PAZ

Consider the following requests for the property located at 5871 Cahill Avenue:

- a) A Comprehensive Plan Amendment to change the guided land use from NC, Neighborhood Commercial and LDR, Low Density Residential to LMDR, Low - Medium Density Residential.

Planning Commission Action _____

- b) A Rezoning from R-1C, Single-family Residential and B-3, General Business to R-3B, Multi-family Residential.

Planning Commission Action _____

3.03 SUMMERGATE DEVELOPMENT - CASE NO. 21-64PA

Consider a Comprehensive Plan Amendment to change the guided land use from LMDR, Low-Medium Density Residential to LDR, Low Density Residential for the property located at 1401 70th Street.

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@ighmn.gov.

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, November 16, 2021 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

Chair Niemioja called the Planning Commission Meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

Commissioners Present: Elizabeth Niemioja
Dennis Wippermann
Pat Simon
Joan Robertson
Anthony Scales
Kate Challeen
Scott Clancy
Jonathan Weber

Commissioner's Absent: Robert Heidenreich (excused)

Staff Present: Heather Botten, Associate Planner
Allan Hunting, City Planner
Kim Fox, Community Development Specialist

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR NOVEMBER 3, 2021

The Planning Commission Meeting Minutes for November 3, 2021 were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

GEORGE GUEVARA - CASE NO. 21-59V

Reading of Public Notice

Commissioner Simon read the public hearing notice to consider the request by George Guevara - Case No. 21-59V for property located at 7086 Delaney Avenue. The request consists of a variance for a porch to be located within the front yard setback. Notices were mailed to 4 property owners on November 3, 2021.

Presentation of Request

Heather Botten, Associate Planner, explained the request for property located at 7086 Delaney Avenue, south of 70th Street. The property is zoned R-1C, Single Family Residential District. The Applicant proposes constructing an open porch onto the front of the existing home. The addition would be about 11x18 feet in size. She mentioned at the closest point, based on her measurements, the porch would be about 19 feet from the southern corner to the property line. Zoning Code allows for uncovered decks or entryways to allow a 6-foot encroachment into the front yard setback. In this case because they are doing a roof over the porch, that part of the Code does not apply. The Applicant lives on a cul de sac, the home is in the middle of the property with about a 10 foot setback difference between the front yard and the rear yard. The neighborhood consists of single-family homes to the north, south, and west, and an apartment building to the east. The addition is in compliance with other Code requirements such as; side yard setback, exterior building materials, and impervious surface. The lot is unique as it is

located at the beginning of a cul de sac. If the home was positioned differently on the lot and shifted further north there would potentially be room for the Applicant to construct the proposed porch within setback requirements. The property is also unique with the three-story apartment building located to the east. The Applicant has said there are at least six decks that overlook the property reducing the amount of privacy in the back yard. Staff believes that a reasonable use of the property has been established with the house. There is space on the rear of the property to add a porch addition that could be in compliance. Allowing the location and size of porch in the front yard could be considered a convenience to the Applicant and not a practical difficulty. Approving the variance could set a precedent for other front yard encroachments, especially in cul de sacs. Based on information provided Staff recommends denial of the request.

She stated an email was received from a neighbor directly to the south who is in support of the request. There is also a Petition with 29 homeowner signatures on it supporting the request.

Chair Niemioja asked if the deck would be approved at the size requested if it didn't have a roof.

Ms. Botten responded the deck could encroach up to 6 feet of the 30 feet. It requires a 24-foot setback.

Commissioner Scales referenced the estimate of 19 feet on one corner to the easement and asked if there was an estimate on the other corner.

Ms. Botten replied it was approximately 23 feet.

Opening of Public Hearing

George Guevara, 7086 Delaney Avenue, stated he has read and understands the report. He requests 1 foot on the northwest corner and 7 feet from the 30-foot setback on the southwest corner. When measuring from the setback he measured from the inside of the curb and measured 54 feet. He mentioned the bottom side is 7 feet from the front of the house to the 30-foot mark. He said if 6 feet is allowed for uncovered, this is just another foot.

Chair Niemioja requested clarification on the discrepancy.

Mr. Guevara said he didn't know what the setback was and determined it was 13 feet. He measured from the 13-foot setback to the front of his house. He measured from the grass side giving him another 6 feet to work with.

Ms. Botten said the Applicant is talking about the right of way. She stated she measured from the front of the curb; Mr. Guevara is measuring from the back of the curb.

Mr. Guevara said it's 39.6 feet from the back of the curb to the front of his home. Adding another 6 inches brings it to 40 feet. On the bottom side he has it at 34 feet from that 30-foot setback. It's actually 34.6. He said he is asking for 1 foot on one side and 7 feet on the bottom side. He said he wasn't going to enclose it; he would just put a roof over it. He said they had a tree fall on the house in the last storm and they hang out in the front because of the apartments in the back. There is a playground, it's loud, there's music playing. He said they like to sit in the front, they lost the shade of the tree, and would like something to put their swing under. He said he spoke to all of his neighbors and if they supported him, they could sign the Petition.

Chair Niemioja said there wasn't a Policy for dealing with Petitions. She appreciated Mr. Guevara having his neighbors sign, that means more to the Commission than a list of people.

Commissioner Challeen asked what the significant change was between a deck versus an unenclosed porch. She asked if putting a roof on it makes it an extension of the home even if it is still open to the elements.

Ms. Botten responded replied in the affirmative.

Commissioner Clancy asked if it was his intention to cover the entirety of the deck. He asked if there was further detail that could be provided to the Commission.

Mr. Guevara responded he sent in a picture. It would go right over the front door and window to block some of the sun out.

Commissioner Robertson referenced the photo provided and asked how far the roof extension would extend out from the house.

Mr. Guevara responded he was going to request 10 feet, but is requesting 11 feet so he misses the concrete sidewalk to put the footings in.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

Commissioner Weber asked if the setback was known for the house to the north.

Ms. Botten replied she did not.

Mr. Guevara responded he measured, they are all at 28 and 26 feet, they are encroaching on the 30-foot setback.

Chair Neimioja said she would be reticent to say that any kind of surrounding density would be a Practical Difficulty. She said the Commission should be looking for another type of Practical Difficulty such as shape of the lot or something different.

Commissioner Scales stated the Practical Difficulty he noticed would be the way the road is laid out. It's unique with a half turnaround/half cul de sac. He said if that wasn't there, they would not be discussing this. He said he was fine with using the layout of the lot and road as a Practical Difficulty.

Commissioner Robertson mentioned she drove by and noticed he is working on putting the house back into a good condition. She said it was an odd shaped road, there are odd shaped roads all over town. They don't use odd shaped roads as a Practical Difficulty. She noticed there are variations of setbacks with all of the houses on that street. She appreciated how consistent the front area looked. There wasn't anything sticking out, cutting the aesthetic or view, it conforms to the road. She said in a majority of residential areas there are people with kids or dogs living behind them and have decks. She drove through the apartment complex and noted the height of the fence saying anything would be hidden by that fence. She said she is struggling to see why they would change the front of this house and add something to it that is not consistent with the rest of the neighborhood. She said the notion of an apartment building

meaning people can't use a porch or deck in the back would be an argument for anybody who had a house and kids and dogs. She said she struggles to approve it for just that reason.

Motion by Commissioner Weber, second by Commissioner Challeen, to accept all information received on this item into the record.

Motion carried (8/0).

Commissioner Clancy stated from what they have learned from Staff and City Ordinances is that a front porch can still be allowed under normal circumstances. It's not uncommon to find that around various neighborhoods. He said the question is if they can allow the Practical Difficulty of allowing this to encroach along the setback. He said front porches are found in the community, allowed by Ordinances, and not something out of character leads him to say he can support the variance.

Chair Niemioja believed they may start seeing more of these requests because the aesthetic change might be coming. She said she looks forward to City Council guiding the Commission.

Commissioner Robertson mentioned one of the concerns she always has is setting a precedent. What has just been described sets a precedent. She questioned where they draw the line. She asked what kind of scenario they open up that has the potential to change the nature of that street. She said they are in fact saying they are setting a precedent.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Weber, to approve based on the Practical Difficulty of the road and the lot with the two conditions listed for property located at 7086 Delaney Avenue

Motion fails (4/4). This item will go before the City Council on November 20, 2021.

Chair Niemioja stated these are good things for the City Council to discuss on whether or not that Practical Difficulty is going to get accepted.

Commissioner Simon said it doesn't mean this is a dead end.

Commissioner Weber suggested when Mr. Guevara takes this item before the Council, he should mention that the porch would line up with the front corner of the neighboring home to the north. That could be added on as a Practical Difficulty, that the Applicant would be creating a general alignment with the contiguous homes around him.

Commissioner Robertson questioned if that was a Practical Difficulty or if it was an aesthetic.

SOLOMON DAVID - CASE NO. 21-60PAZ

Reading of Public Notice

Commissioner Simon read the public hearing notice to consider the request by Solomon David - Case No. 21-60PAZ for property located at 10045 Courthouse Blvd. The request consists of a Comprehensive Plan Amendment to change the land use designation from RDR (Rural Density Residential) to L-1 (Light Industrial) and rezoning from B-3 (General Business) to L-1 (Light

Industry). Notices were mailed to 28 property owners on November 3, 2021.

Presentation of Request

Allan Hunting, City Planner, discussed the property located between 105th and 96th along the west side of the freeway. The Applicant/Landowner is proposing to change the Comprehensive Plan and rezoning to an Industrial Use. It is currently zoned B-3 (General Business Retail District) zoning is proposing a change to I-1 (Light Industrial). The Comprehensive Plan would have to be changed because it's currently Rural Residential needing to go to Light Industrial. He said the Applicant had stated previously that their intent was always to either sell or operate a mini storage business. When mini storage was proposed on Cahill and Council did not like to have mini storage in B-3 Districts, they amended the Code and removed the use from B-3. That impacted what the Applicant was proposing to do with their site. He said the Council suggested the Applicant apply to amend to an I-1 zoning as that allows mini storage as a conditional use. The Application is to change the zoning and Comprehensive Plan, there is no proposal for a use.

He discussed the site stating it has been zoned B-3 since the 1990's. There hasn't been a city or Council approved commercial type use on the site. There has been mini storage immediately to the south along the frontage road. It's consistent with zoning and proposed use. In the Comprehensive Plan the landowner adjacent had requested a Comprehensive Plan Amendment because they had thought of doing an industrial use. Council approved that Comprehensive Plan Amendment, there has been no rezoning or city approved industrial use there. There are other industrial guided properties in the area and would be consistent with other Comprehensive Plan use in the area. Properties would be using the frontage road which is intended at some point, to extend further south to 117th Street. In summary, this is consistent with other uses in the area, other guiding, MnDOT frontage road. He said the City Council suggested the Applicant make application and go through the process to see if they would be successful. The Planning Commission would make a recommendation on the rezoning and Comprehensive Plan.

Opening of Public Hearing

Solomon David, 1206 60th Street West, stated he has read and understands the report. He said the only reason this is going through is because the City Council changed the zoning on allowed uses on his property otherwise, he wouldn't be pursuing it at all. He said there is no planned uses for the property, he is trying to protect his investment.

Edward Honnecke, 9955 Courthouse Boulevard, said he has lived on the property north of this location since 1984. In the course of those years two problems have been consistent, theft and garbage dumping. With theft he said people could be traveling through the area. Garbage dumping includes bags of leaves, building materials, couches.

Chair Niemioja requested clarification on where the dumping was taking place, his property or the proposed property.

Mr. Honnecke responded it was mainly at the end of his driveway. There was a street light in the area that hasn't been replaced in about 6-8 months. He suggested the city put the light on, it may deter people. He said when the Applicant wanted to change the zoning, he spoke to Allan Hunting and Kim Fox, who told him the Applicant didn't want to do anything now, but in the future, he may want to do something like the Inver Grove Storage. He says if driving further down the road, the area is lit up. If the Applicant were to put that type of structure on the property it would light his whole yard, his privacy would be gone, and the value of his property

would likely go down. He said if there were storage there in the future, they would need security, lighting, and to watch it. He addressed the garbage dumping saying he cleans a lot of it up and doesn't say anything about it. He said the back of the Applicant's property is more residential. He says his concern is when the Applicant says they won't do anything now, he worries about later.

Chair Niemioja stated if an Applicant were to come through on this for a storage unit, there would be a process with lighting and landscaping. All those would have to come before the Planning Commission and City Council.

Mr. Honnecke commented that things are changing and what they could do in 1984, they can't do now. It's changed and it's confusing. He requested that the light that has been out is replaced and working at the end of the cul de sac.

Chair Niemioja stated that Mr. Honnecke made the right first step in attending this meeting. Information is available on the website, Town Square TV, and a notice would be sent out if there is movement to change something on that property.

Mr. Hunting mentioned that Staff received a phone call and a person came in that lived close to the area. Both were concerned about the use and objected to the change.

Mr. David mentioned half of the property has a high line on it. There is no other use, can't build a house or building on half of the property.

Commissioner Weber said some of the conversation has been about mini storage as one of the reasons why the Applicant is trying to rezone. Land use availability as a B-3 is broader than I-1. With Code, several different business types could be put in that would be more unsavory than what could be done as an I-1. He commented that for him, it's better considering the area.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Robertson, to approve the Comprehensive Plan Amendment to change the land use from RDR to Light Industrial and rezone from B-3 to a General Business District of I-1 Limited Industry District, with the two conditions listed for property located at 10045 Courthouse Blvd

Motion carried (8/0). This item will go before the City Council on November 22, 2021.

CITY OF INVER GROVE HEIGHTS (Kundla property) - CASE NO. 21-61Z

Reading of Public Notice

Commissioner Simon read the public hearing notice to consider the request for the City of Inver Grove Heights (Kundla Property) - Case No. 21-61Z for property located at 8296 Babcock Trail. The request consists of the rezoning of properties from A, Agriculture to P, Institutional District. Notices were mailed to 12 property owners on November 3, 2021.

Presentation of Request

Allan Hunting, City Planner, discussed rezoning of property south of the City Hall complex at the end of Babcock Trail. The city purchased the property in May 2021. It has been a part of the

plan to expand the city complex. The property is currently guided for Public Institutional and rezoned now for use once the city owns the property. It's currently zoned Agriculture and would be zoned for Public Institutional. Staff recommends approval of the rezoning request because it would be consistent with the Comprehensive Plan and consistent with the cities purpose and intent for use of the property.

Commissioner Weber asked if the property south of the location was a residence or business.

Mr. Hunting responded its city owned.

Commissioner Weber asked who John O'Shaughnessy was. He said the County still lists it with John and Christine O'Shaughnessy.

Commissioner Simon responded they were the ones who own property off of 80th.

Mr. Hunting replied city records show it to be city owned.

Opening of Public Hearing

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Robertson, second by Commissioner Simon, to approve the request consisting of rezoning of property located at 8296 Babcock Trail from A, Agriculture to P, Institutional District.

Motion carried (8/0). This item will go before the City Council on November 22, 2021.

4. OTHER BUSINESS

Chair Niemioja mentioned an email was received about floor area and requested further information from Staff.

Ms. Botten responded it was a follow up from the last meeting. There was discussion about when doing gross square footage, if using outside or inside measurements. Based on the definition of floor area, inside measurements should be used when determining what is out on a property. Moving forward they are not going to change the Building Permit process. Most people will probably put exterior dimensions on a Permit. With variances for sizes, Staff will try to make sure to reflect the inside measurement.

Chair Niemioja mentioned they are grateful to Town Square Television for filming the Planning Commission and city activities. It's nice to have access to on-demand and live television meetings. Town Square Television is a 501c3, if interested in donating to them, Give to the Max Day is on Thursday, November 18, 2021. Visit townsquare.tv if interested in donating.

5. ADJOURN

The meeting was unanimously adjourned at 7:50 p.m.

Respectfully submitted, Sheri Yourczek, Recording Clerk



CASE NO: 21-45PUD

APPLICANT: At Home Apartments, L.L.C.

PROPERTY OWNER: Falcon Partners Limited Partnership & Oak Grove Properties of MN, LLLP

REQUEST: Rezoning, Comprehensive Plan Amendment

HEARING DATE: December 21, 2021

LOCATION: 1285 70th Street, 6815 Robert Trail South and 1165 70th Street

COMPREHENSIVE PLAN: Mixed Use, MDR, HDR

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

This request is specific to clarifying the needed rezoning and a comprehensive plan for the project. There are no changes made to the plan that was presented to Planning Commission on October 7 where the plans showed a new location for the apartment building. The actions for this public hearing relate to Lot 1, Block 1 and Lot 1, Block 2.

Previously, public hearings have been held on rezoning applications to rezone Lot 1, Block 1 to:

- PUD
- R-3C, PUD

Initially, it was thought that the Apartment Building Lot (Lot 1, Block 1) should be rezoned R-3C, based on the proposed size of the apartment building (now proposed at 95 units). The Applications have been further reviewed by staff, who have identified that under the City's zoning ordinance, multi-family buildings containing 7 or more units are only allowed in the R-3C, MF-PUD, and MU-PUD zoning districts. It was further determined that the R-3C zoning district correlates with the City's Comprehensive Plan designation of HDR. Because the Apartment Building Lot is guided MDR, and the proposed density of the site is less than the 12+ units/acre it cannot be rezoned to R-3C as that would not be consistent with the MDR Comprehensive Plan designation. As proposed, a comp plan amendment would be required to amend this lot to MDR.

Separating the project on the east side of proposed Agate Trail between Lot 1, Block 2, and the future 300 unit apartment building (Lot 2, Block 2), meant that the density on Lot 1, Block 2 was less than the current designation of HDR (12-35 units/acre). The proposed density would be 9.4 units/acre which is not consistent with the MDR designation.

REQUESTS

Based on the re-analysis of the project, the specific requests for the development project include the following:

1. Rezoning of Lot 1, Block 1 and Lot 1, Block 2 to R-3B/PUD Multiple Family Residential District.
2. Comprehensive Plan Amendment to change Lot 1, Block 2 from HDR to MDR, Medium Density Residential.

Density:

The Preliminary plan is to develop only Lot 1, Block 1 and Lot 1, Block 2 at this time. Lot 1, Block 1 contains 165 units over 20.07 acres for a density of 8.25 units/acre. Lot 1, Block 2 contains 88 units over 9.41 acres for a density of 9.4 units/acre,

The Northwest Area Overlay District contains Table 13J-1, which establishes specific uses and the maximum percentages of units associated with each use which are permissible in the various zoning districts in the northwest area overlay district.

Zoning District (Percentages Represent Maximums)

Uses	R-1C	R-2	R-3A or R-3B	R-3C	MU-PUD
Single-family dwellings	100 percent	100 percent	10 percent	10 percent	10 percent
Twin homes/two-family dwellings	30 percent	100 percent	30 percent	10 percent	15 percent
Multiple dwelling unit buildings (4 or fewer units)	10 percent	30 percent	100 percent	40 percent	100 percent
Multiple dwelling unit building (5+ units)	0 percent	0 percent	50 percent	100 percent	100 percent

The intent of the NW ordinance was to allow a variety of housing types and densities in each zoning district. For example, the R-3A and R-3B districts are solely a multiple family residential category in the standard zoning ordinance. In the NWA ordinance, they can have percentages of different housing types under that zoning classification. The code establishes the percentages of the mix allowed.

The unit mix proposed for the two lots do not fit the exact percentages of the unit type proposed vs. unit type percentage allowed.

Lot 1, Block 1	Proposed Units	Percentage of units on lot	Maximum Percentage of units in each building type allowed if zoned R-3B
Total 2 unit buildings	42	Proposed 25%	Allowed 30%
Total 4 unit buildings	4	Proposed 2%	Allowed 100%
Total 5+ (6 unit+apt building)	119	Proposed 72%	Allowed 50%

Lot 1, Block 2	Proposed Units	Percentage of units on lot	Maximum Percentage of units in each building type allowed if zoned R-3B
Total 2 unit buildings	0	Proposed 0%	Allowed 30%
Total 4 unit buildings	12	Proposed 14%	Allowed 100%
Total 5+ (6 unit+apt building)	76	Proposed 86%	Allowed 50%

The At-Home Apartments development is located within the Northwest Area Overlay District, and is required to be developed pursuant to a Planned Unit Development. Significant flexibility is afforded to development within the Northwest Area Overlay District that is not afforded to development within areas of “straight zoning” within the City. Planned unit developments *may be excluded from certain requirements of [the Zoning Ordinance] when specifically approved as a part of the planned unit development.* Such exclusions “shall only be granted for the purpose of creating better overall design and an improved living environment and not solely for the economic advantage of the developer. A planned unit development may provide for a variety of housing types in any one of the basic residential zoning districts. Uses approved and permitted under a planned unit development shall only include permitted, conditional and accessory uses allowed in *residential districts* in the city.

The purposes of the northwest area overlay district include encouragement of development which includes, among other things, diverse housing styles and cluster development practices which preserve significant natural features. Additional bulk standards are required for development within the northwest area overlay district, including minimum density requirements, maximum building heights, uses within each zoning district, and maximum percentages of housing types permitted within individual zoning districts. Specifically, “PUD developments in the northwest area overlay district are allowed to have an increased mixture of housing types, ... [and] the total number and location of housing units and housing types for a specific property shall be established by the city council at the time of final PUD plan approval

for that specific property.” The Council has the further ability to permit exceptions to the standards required within the northwest area overlay district as part of its approval of the PUD plans. Such exceptions are allowed based on the following:

- The project’s ability to protect public safety
- The purpose and intent of the northwest area overlay district
- The consistency of the exceptions with the goals, policies and plans of the city’s comprehensive plan
- The general compatibility of the exceptions and a finding that such exceptions would not be materially injurious to existing or future uses of surrounding properties.
- A finding that the exceptions do not have an undue adverse impact on existing or planned city facilities and services and the reasonable ability of the city to provide such services in an orderly, timely manner.

The proposed development provides for more 5+ unit buildings than allowed by the percentage maximums. The design of the project was to minimize grading/tree removal, blend unit type to match abutting neighborhoods and provide as much open space and open space buffer as possible.

If the table and the language in the code is interpreted to permit multiple-family dwellings containing 7+ units within the R-3A and R-3B zoning districts, then the 95-unit apartment building may be permitted on property zoned R-3B with a flexibility request based on the criteria established in PUD’s to allow such variations. The project would not be exceeding the density maximums allowed in the MDR category.

COMPREHENSIVE PLAN

Lot 1, Block 1 is located in the MDR land use category of 8-12 units/acre. The proposed density is 8.25 units/acre which is consistent with the guiding. Lot 1, Block 2 is located in the HDR land use category of 12-35 units/acre. The proposed density is 9.4 units/acre. A land use change to MDR is required to be consistent with density and to be consistent with the proposed rezoning to R-3B which allows project densities of less than 12 units/acre.

ALTERNATIVES

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

- A. Approval:** If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:
- Approval of the **Comprehensive Plan Amendment** to change the land use designation of Lot 1, Block 2 from HDR, High Density Residential (12-35 units/acre) to MDR, Medium Density Residential (8-12 units/acre) subject to the following conditions:
 1. The comprehensive plan land use change shall not become effective until approved by the Metropolitan Council and rezoning and development plans have been approved by the City Council.

2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
 3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.
- Approval of the Rezoning of Lot 1, Block 1 and Lot 1, Block 2 from A, Agricultural to R-3B, Multiple Family Planned Unit Development.
- B. Denial:** Should the proposed request or portions thereof, not found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

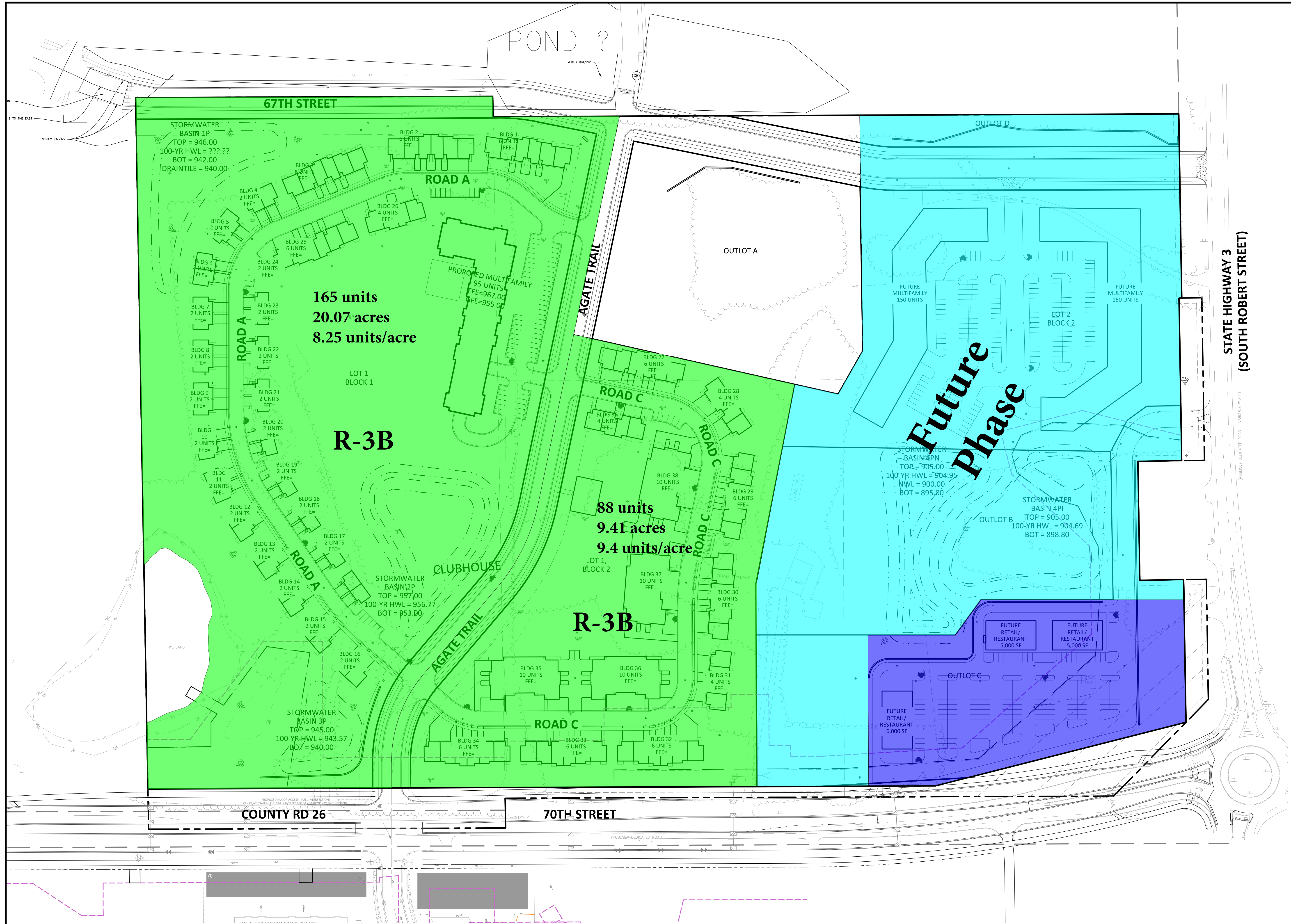
The intent of this rezoning and comp plan amendment is to clarify the zoning of the parcel and to provide flexibility from the Northwest Quadrant Ordinance to allow a greater mix of 5+ unit buildings than allowed for the R-3B district based on flexibility provisions allowed in the zoning ordinance. The Comprehensive plan amendment would be reducing the maximum density for one of the lots to provide for the design elements proposed in the project.

Approval of the proposed Preliminary PUD will require the Council to utilize the flexibility granted to it to make modifications to the various Northwest Area standards, including the maximum percentage mix of uses by district.

Staff would recommend approval of the requests as presented with the conditions listed.

Attachments:

Map of Proposed Zoning
Map of Proposed Comp Plan Amendment
Resident Comment



LEGEND

PROPERTY LIMIT	---
CURB & GUTTER	---
EASEMENT	---
BUILDING	---

RESIDENTIAL DEVELOPMENT SUMMARY

	MULTI-FAMILY (R-3C)	MULTI-FAMILY (R-3C)
COMP. PLAN DESIGNATION	MDR	HDR
AREA	29.48 AC	15.14 AC
MIN. LOT AREA	2,000 SF	12,000 SF
DENSITY RANGE (2040 LAND USE)	8-12 UNITS/AC	12-35 UNITS/AC
UNITS	253	300
PROPOSED DENSITY	8.6 UNITS/AC	19.82 UNITS/AC
MINIMUM DENSITY (NW AREA OVERLAY)	8 UNITS/AC	12 UNITS/AC

COMMERCIAL DEVELOPMENT SUMMARY

		<u>LOT AREA</u>	<u>BUILDING AREA</u>	<u>MINIMUM FAR</u>	<u>PROPOSED FAR</u>
COMMERCIAL RETAIL (B-3)	MU	3.73 AC	16,000 SF	0.25	0.10

Client
COLLAGE ARCHITECTS

708 NE 15TH AVE
MINNEAPOLIS, MN 55413

Project
AGATE TRAIL APARTMENTS

Location
INVER GROVE HEIGHTS, MN

Certification
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional ENGINEER under the laws of the state of Minnesota.

George D. Abernathy
Registration No. 43505 Date: 06/07/2021
If applicable, contact us for a web signed copy of this plan which is available upon request at Sambatek's, Minnetonka, MN office.

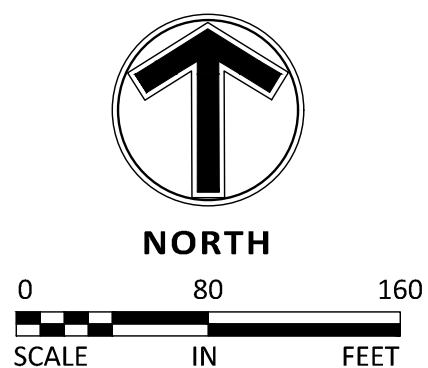
Summary
Designed: GOA Drawn: JGP
Approved: JMM Book / Page:
Phase: PRELIMINARY Initial Issued: 06/07/2021

No.	Date	By	Submittal / Revision
06/07/21			Preliminary PUD Submittal
09/03/21			Preliminary PUD Resubmittal
09/24/21			Preliminary PUD Comment Response

Sheet Title
DEVELOPMENT CAPACITY PLAN

Sheet No. Revision
C3.06

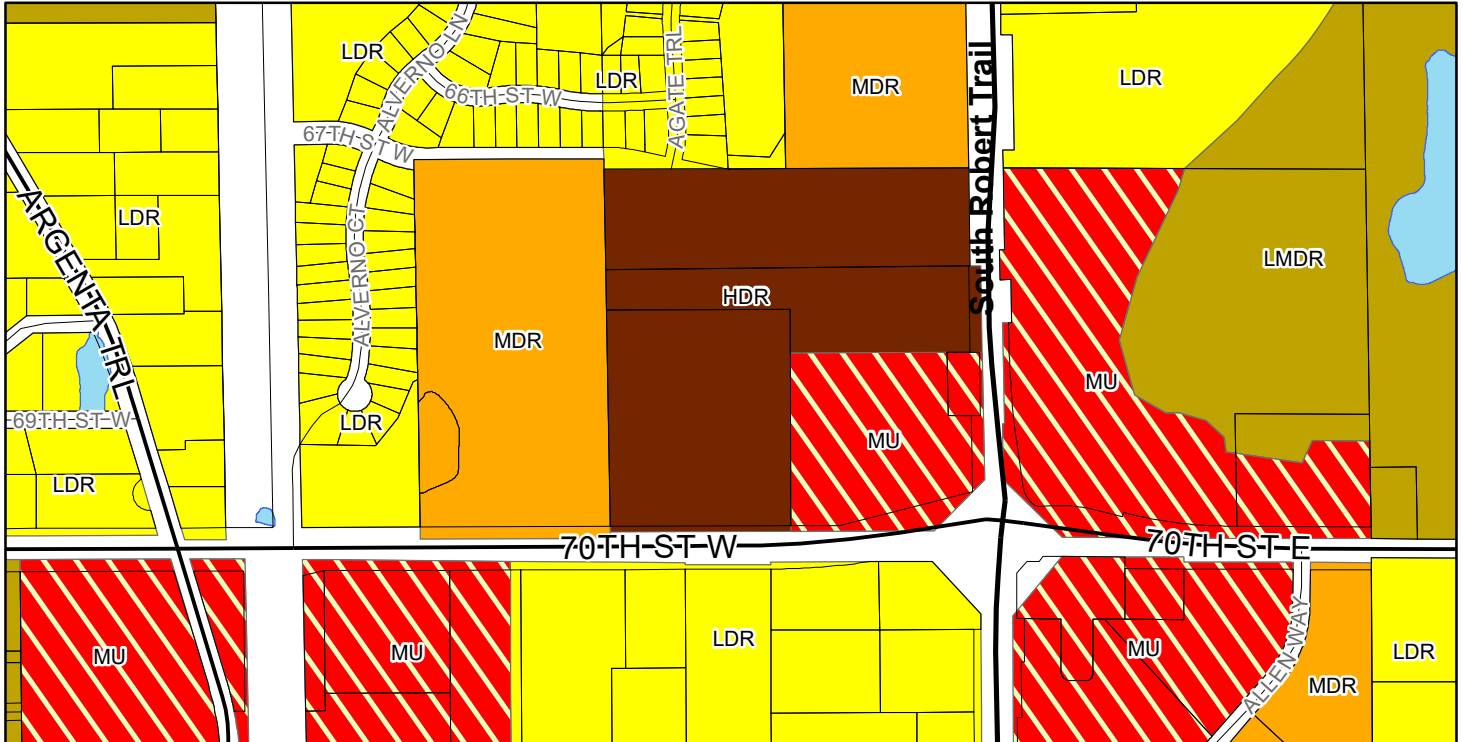
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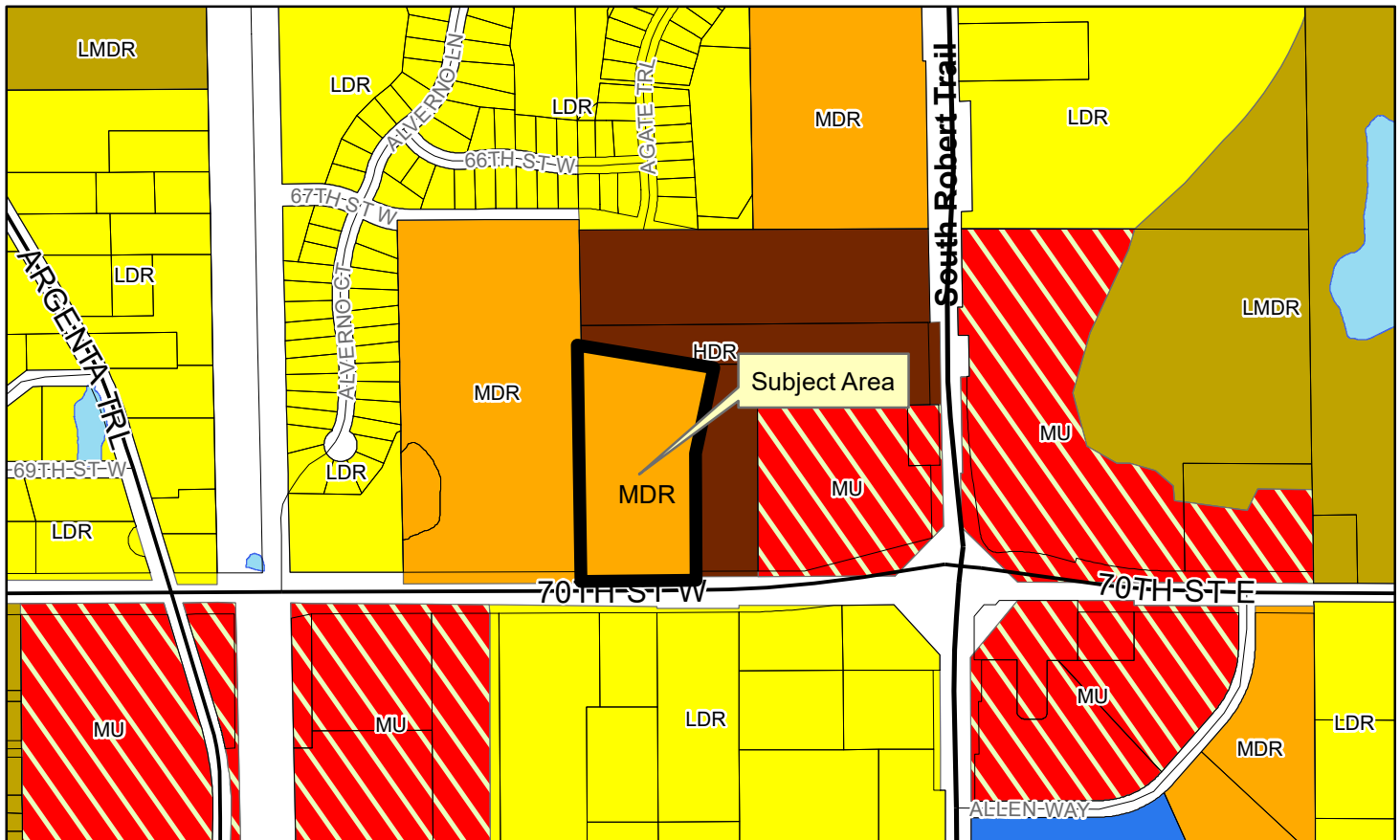


At Home Apartments CPA

Existing Comp Plan



Proposed Comp Plan



Dr. and Mrs. Arnie Svendsen
6594 Agate Trail
Inver Grove Heights, MN 55077

City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights
Attention: Inver Grove Heights Planning Commission

December 8, 2021

Dear Planning Commissioners:

My husband, Arnie, and I live at 6594 Agate Trail. We are home owners who will be directly impacted by your decisions on the plans for the increased traffic from the new At Home development.

In addressing the plans for this extensive development, you must consider the wants of the developers, the goals of the Comprehensive Plan, and the needs and safety of the residents.

You must study and evaluate traffic plan.

We, as homeowners, have already made our investment in Inver Grove Hts., (for many of us our single biggest investment.) We are already paying taxes on our investment which in turn pays for our city government and the consultants hired by the city.

At a previous City Council meeting, a City Council member said that there are "Always negative reactions by residents to new plans for development near their homes". The statement sounded dismissive. We were told that we had not done "our due diligence" before buying our homes. However, by raising our concerns, and acting on our own behalf we are presenting our side and it should be considered. The impact of new developments on existing home owners must be

addressed particularly when it comes to safety issues, like traffic. Please do not dismiss our concerns.

Presentations have been made to you showing schematic drawings and computer-generated images of the plans for the traffic flows down Agate Trail. We would like to describe what it is actually like on Agate Trail in living terms, as we walk our neighborhood.

The houses are close together, each with an asphalt driveway entering the street. The street is not wide and cars are regularly parked along the street in front of and/or across from our house. During spring, summer and fall driveways are used as play areas for children. There are many young children along this street and more new babies are arriving regularly. School buses stop at each end of the two blocks letting the kids out. Young couples are out walking with their toddlers, strollers and dogs. When the garage doors open along the street, youngsters riding their various vehicles emerge and flow onto sidewalks and the road. Their vehicles are amazing: miniature bikes for 3,4 and 5-year-olds, miniature cars, razor scooters, skateboards, newer models of skateboards (hover boards), big wheels and groups of pre-teen bicyclists. They can zip in and out of garages onto driveways, sidewalks and from between parked cars onto the streets in an instant.

Those of us who live here are aware of these “children on wheels” and we are very careful.

However, will the residents of the new apartment complex be as careful? There are no traffic signs indicating speed limits or to watch for children. Many apartment dwellers may not have children and may be less likely to think about watching for them.

Will the traffic plan take into consideration the makeup of the residents on Agate Trail, families with youngsters, or the proximity of the driveways, now play areas, for these kids?

We will describe to you a scene as we walked our neighborhood last fall. There were three little boys on one side of the street, each had a ball in hand. One of the balls rolled out into the street. Predictably, one of the boys ran after it. A car was coming toward the boy and the ball. It was driven by a young woman.

Fortunately, she was driving slowly, perhaps a mother aware of the neighbors' families, and stopped. A potentially tragic accident was averted by her caution.

Why must Agate Trail, populated by young families with children, serve as a conduit for the new residents of the At Home development?

What about the construction phase of this new development?

The huge size of construction equipment going back and forth on Agate Trail is another potential for accidents. Consider the disparity in size of a bulldozer and a small "child on wheels."

Will the drivers of these huge vehicles see small "children on wheels" zipping out unexpectedly?

Can the developer plan for an alternate route for these construction vehicles other than through Agate Trail?

If Agate Trail could remain a dead end at the extension of 67th Street and an alternate route could be created for the residents of the new development redirecting the traffic around Agate Trail these problems would be resolved.

We hope that the traffic study, once prepared and studied by our City Planning Commission and City Council, will be thoroughly considered as to whether it addresses the **actual situation and safety of the existing residents.**

Traffic studies may offer plans, but your decisions must be made based on the realities and the safety issues we have tried to explain. One tragic traffic accident for lack of foresight on the traffic plans would be one too many.

Thank you for your careful consideration of our concerns.

Sincerely,

A handwritten signature in cursive script that reads "Arnie & Deni Svendsen".

Arnie and Deni Svendsen



PLANNING REPORT

CASE NO: 21-63PAZ

APPLICANT: Blue Ribbon Builders, LLC

PROPERTY OWNER: Rose Ann Krech, Wayne and Marlys Krech

REQUEST: Comprehensive Plan Amendment and Rezoning

HEARING DATE: December 21, 2021

LOCATION: 5871 Cahill Avenue (two parcels)

COMPREHENSIVE PLAN: NC, Neighborhood Commercial and LDR, Low Density Residential

ZONING: B-3, General Business and R-1C, Single-family Residential

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant would like to develop the two parcels located at 5871 Cahill Avenue into a townhome development. The applicant is proposing to change the land use designation of the 2.24 acres from LDR, Low-density Residential and NC, Neighborhood Commercial to LMDR, Low-Medium Density Residential. The development also requires a rezoning of the parcels from B-3, General Business and R-1C, Single-family to R-3B, Multi-family residential. There is currently one single family home on the south lot and the north lot had an approved automobile repair business. The parcels would be completely redeveloped into a townhome project.

If the comprehensive plan amendment and rezoning are successful, an application for platting and conditional use permit for multiple family will be required before development can occur. This subsequent process provides for public review and comment on the actual site plan. The applicant has stated that the maximum number of units they are considering for the property would be 17 with the final count depending on City requirements such as stormwater and setbacks.

SURROUNDING USES

The subject property is surrounded by:

North: Office building and Walgreens; zoned Commercial PUD; guided NC.

East: Multi-family senior, townhomes, and office; zoned R-3C and B-1; guided HDR, MDR, NC

West: Single family; zoned Residential PUD; guided LDR and Public Open Space

South: Single family; zoned R-1C; guided LDR

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject parcel is currently guided Low Density Residential (LDR) and Neighborhood Commercial (NC). The applicant is requesting to change the comprehensive plan designation to LMDR, Low-Medium Density Residential.

Low Density Residential is defined in the 2040 Comprehensive Plan as a category that encompasses traditional “urban” density development. LDR includes lots or parcels ranging from 1 unit per acre to 4 units per net acre. Housing types in the low-density residential category include single-family detached homes, twin units and lower density, townhome style developments. In all cases, low-density residential development will be served by public water and sanitary sewer systems.

Neighborhood Commercial is defined as areas that include lots or parcels containing retail sales and services located along collector roadways that serve the adjacent neighborhood area. The neighborhood commercial designation is the least intensive of the commercial classifications use in the comprehensive plan. Neighborhood commercial areas are intended to house businesses that provide convenience goods and services.

Low-Medium Density Residential (LMDR) (4-8 residential units/net acre) is defined in the 2040 Comprehensive Plan as a category that includes a combination of single-family attached and single-family detached housing that is generally at a greater density than traditional single-family housing in Inver Grove Heights.

The proposed townhome development would consist of a maximum 17 units. The net area of the two subject parcels is 2.24 acres. At 17 units, the density of the proposed project would be 7.6 units per acre.

The area of the city the proposed parcels are located within is referred to in the 2040 Comp Plan as an *Established Development Area*. Established areas represent portions of the community which are mostly built out. Policy directions focus on preservation and maintenance of existing neighborhoods. Some of the Established Development Area Policies include:

- Allow infill development in a manner that protects the character of existing residential neighborhoods.
- Provide a broad range of housing opportunities.
- Ensure that new development areas are compatible in size and scale with existing, adjacent neighborhoods.
- Provide appropriate buffers to allow density transitions and to accommodate a range of housing types.
- Conduct long term planning to ensure existing neighborhood infrastructure is well maintained and reliable.
- Continually monitor the vitality and viability of existing commercial nodes and encourage the integration of supporting residential uses where necessary.

Rezoning

The City Code, Title 10-3-5 states that a rezoning request must be “in the best interest of the physical development of the City” in order to be approved. This suggests that the request should be reviewed against such factors as infrastructure availability; compatibility with existing land uses in the neighborhood; and consistency with the Comprehensive Plan.

The applicant is proposing a rezoning to R-3B, Multiple Family Residential. The R-3B district is established for multi-family dwellings with up to seven (7) units per building with densities ranging up to twelve (12) dwelling units per acre in areas which are provided with full urban services.

Infrastructure is in place to accommodate a multi-family development on this parcel. The surrounding uses are commercial and office to the north, multi-family and office to the east, single-family residential and open space to the west and single-family to the south. Within this neighborhood along Cahill and up to and along Upper 55th Street are a broad range of land uses. The mix includes single family, multiple family in apartments and townhomes, office buildings, commercial and restaurants. Staff believes the proposed multi-family zoning would be a compatible transitional zoning with the existing, established uses in the neighborhood. The zoning would also be consistent with the proposed land use designation and with the multi-family project proposed.

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 make the following recommendations:

- Approval of the **Comprehensive Plan Amendment** from LDR, Low-density Residential and NC, Neighborhood Commercial to LMDR, Low-Medium Density Residential subject to the following conditions:
 1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
 2. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.
 3. The comprehensive plan land use change shall not become effective until a rezoning and development plan has been approved by the City Council.
- Approval of the **Rezoning** from R-1C, Single-family Residential and B-3, General Business to R-3B, Multi-family Residential.

B. Denial If the Planning Commission does not favor the comprehensive plan amendment and rezoning request, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

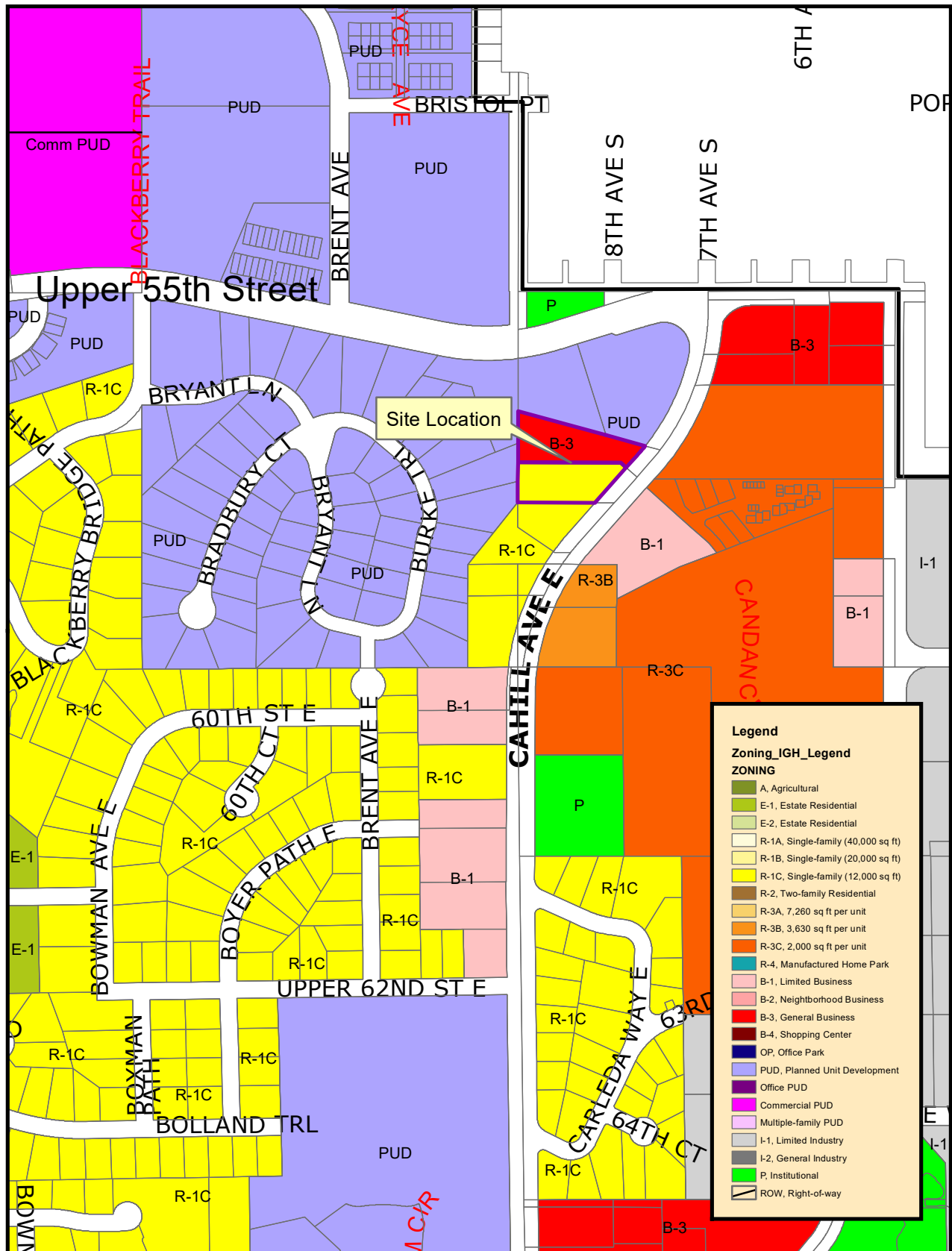
RECOMMENDATION

This report provides definitions of the existing and proposed comp plan land use designations and lists some of the policies for the Established Development Areas. The neighborhood around the proposed lots has a broad mix of uses with the primary road access network using Cahill and Upper 55th Street.

Staff feels this project appears consistent with the neighborhood and would not change the overall character. Based on the information in the preceding report and the conditions and approvals listed in Alternative A, staff is recommending approval of the request as presented.

Attachments: Location Map
Existing/Proposed Comp Plan Map
Existing/Proposed Zoning Map
Applicant Narrative
Sketch Plan

5871 Cahill Avenue Case No. 21-63PAZ



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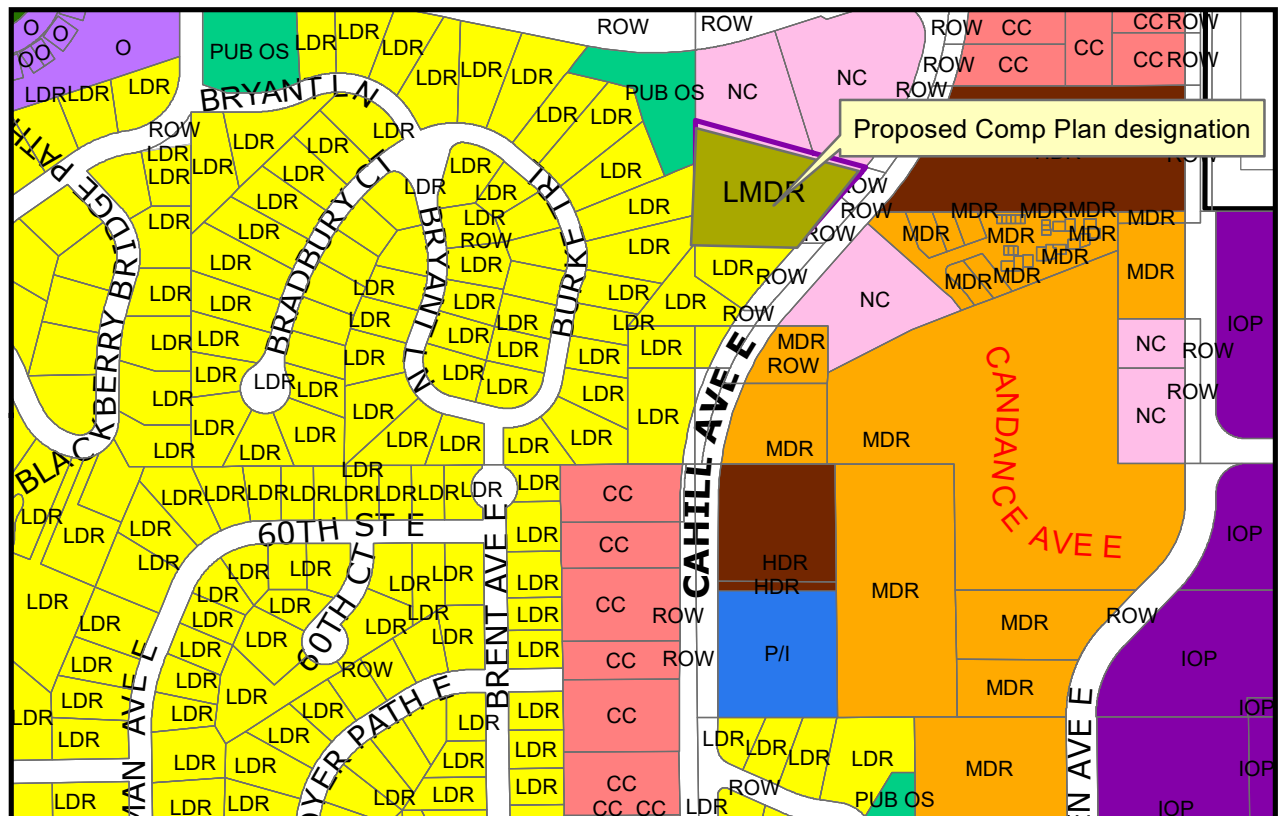
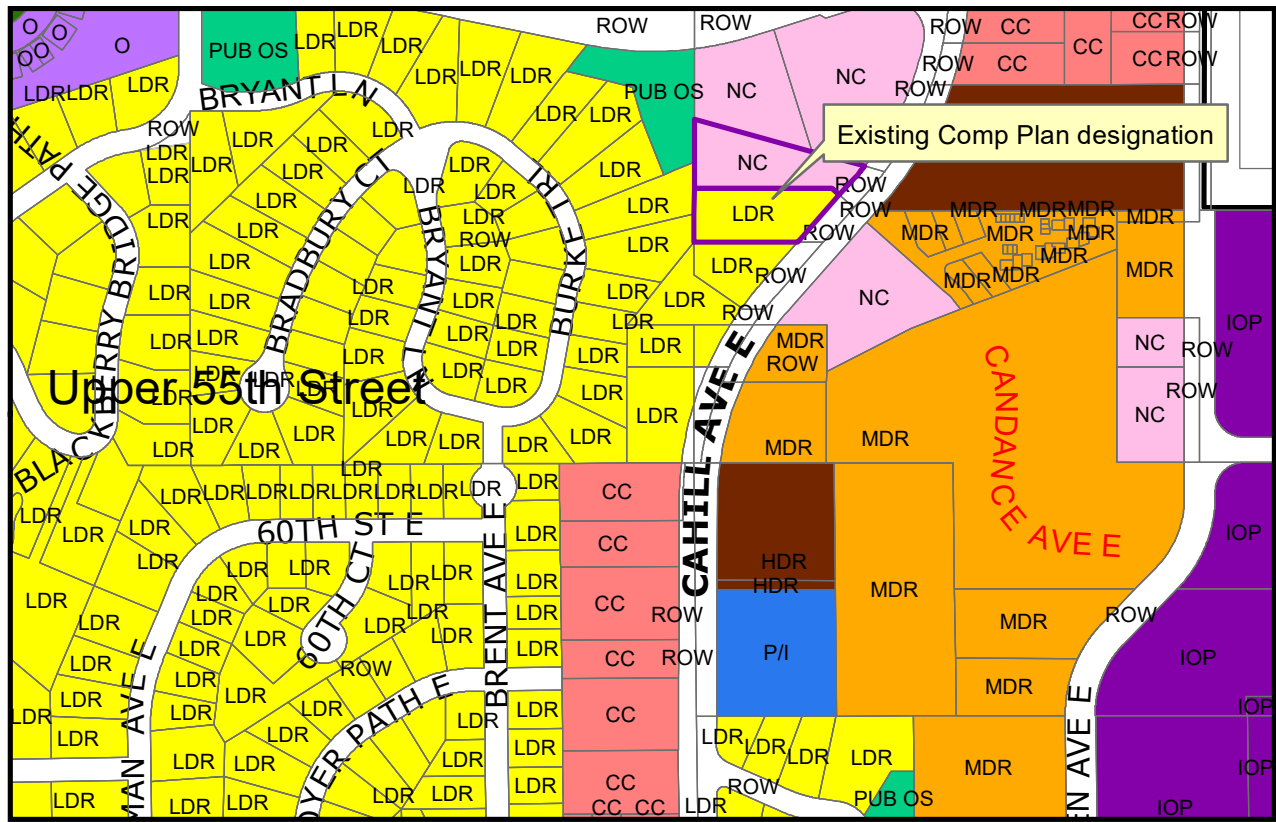
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Exhibit A
Zoning and Location Map

Map not to scale

5871 Cahill Avenue
Case No. 21-63PAZ

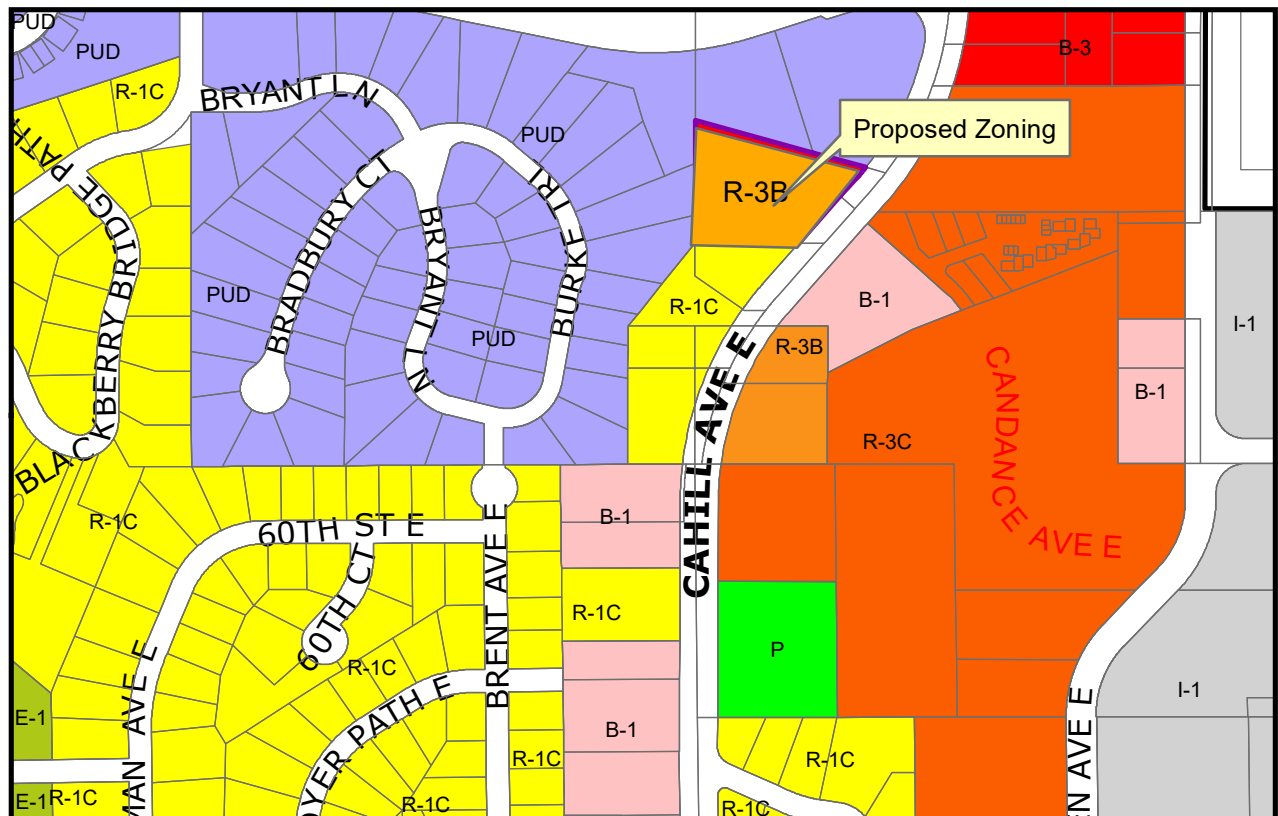
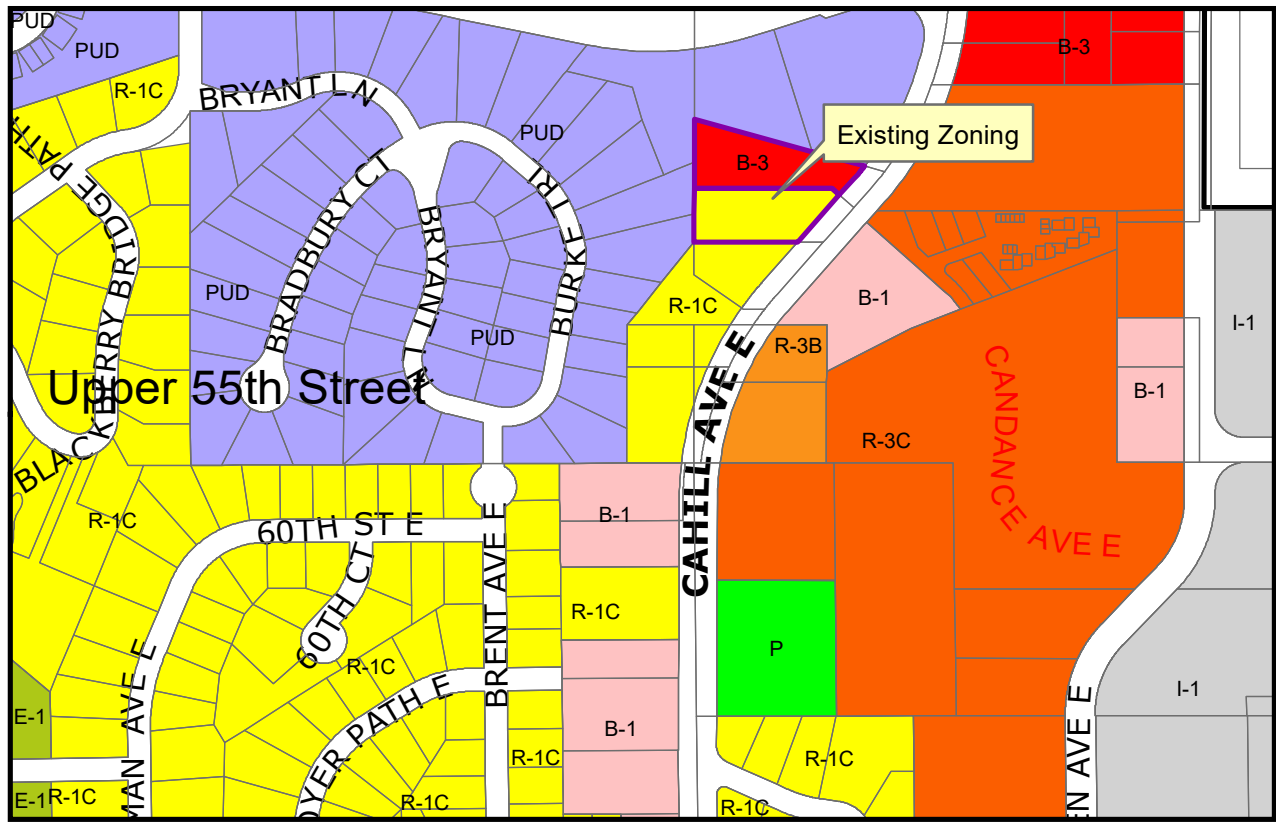


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Exhibit C
Comp Plan Map
Map not to scale

5871 Cahill Avenue Case No. 21-63PAZ



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Exhibit B
Zoning Map

Map not to scale

Justification Statement
Rezoning & Comprehensive Plan Amendment
The Legacy at Veterans Parkway

December 16, 2021

Request:

Blue Ribbon Builders, LLC is requesting to rezone the subject property located at 5871 at Cahill Ave to allow the development of an up to 17-unit multi-family 3-building townhome project.

- There are two parcels under consideration
 - Parcel A – (Described as follows:)

That part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 28 North, Range 22 West, Dakota County, Minnesota, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 34; thence northerly, along the west line of said Southwest Quarter, a distance of 575.00 feet to the point of beginning of the parcel to be described; thence continuing northerly, along said west line, a distance of 139.50 feet; thence deflecting 90 degrees 00 minutes 00 seconds to the right, a distance of 75.00 feet to the center line of Cahill Avenue East (formerly known as C.S.A.H. No. 75); thence southwesterly, along said center line, to the intersection with a line that passes through the point of beginning and is at a right angle to the west line of said Southwest Quarter; thence westerly, a distance of 336.36 feet to the point of beginning.

- Parcel B – (Described as Follows:)

That part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 28 North, Range 22 West, Dakota County, Minnesota, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 34; thence northerly, along the west line of said Southwest Quarter, a distance of 894.44 feet to the point of beginning of the parcel to be described; thence southerly, along said west line, a distance of 179.94 feet; thence deflecting 90 degrees 00 minutes 00 seconds to the left, a distance of 359.45 feet; thence deflecting 41 degrees 25 minutes 56 seconds right, a distance of 75.000 feet to the center line of Cahill Avenue East (formerly known as C.S.A.H. No. 75); thence northeasterly, along said centerline, to the intersection with the herein after described "Line A"; thence northwesterly, along said "Line A", to the point of beginning.

"Line A" is described as follows:

Commencing at said Southwest corner of the Southwest Quarter; thence northerly, along said west line, a distance of 894.44 feet to the point of beginning of said "Line A"; thence deflect 105 degrees 16 minutes 46 seconds to the right, a distance of 514.03 feet to the center line of said Cahill Avenue East and said "Line A" there terminating.

Parcel A is currently zoned as R-1C

- The **R-1C Residential District** is established for existing and future one-family detached dwelling areas which are provided with full urban services, with a minimum lot size of 12,000 square feet.

Blue Ribbon Builders, LLC is requesting the Comprehensive Plan be amended to be a LMDR, Low Density Residential to LMDR, Low -Medium Density Residential (4-8 units/acre) density residential a compatible land use for the proposed zoning of the project. The rezoning request is to allow for a R3-B Multi-Family Residential classification from the current designation R-1C.

- **R-3B:** The **R-3B Residential District** is established for multi-family dwellings (whether rental or cooperative or condominium) with up to seven (7) units per building with densities ranging up to twelve (12) dwelling units per acre.

Parcel B is currently zoned B-3:

- **B-3:** The **General Business District (B-3)** is established for large scale retail sales and services serving the region.

Blue Ribbon Builders, LLC is requesting the Comprehensive Plan be amended to be a LMDR, Low Density Residential to LMDR, Low -Medium Density Residential (4-8 units/acre) a compatible land use for the proposed zoning of the project. The rezoning request is to allow for a R3-B Multi-Family Residential classification from the current designation R-1C.

- **R-3B:** The **R-3B Residential District** is established for multi-family dwellings (whether rental or cooperative or condominium) with up to seven (7) units per building with densities ranging up to twelve (12) dwelling units per acre.

The property is under contract by Blue Ribbon Builders, LLC with contingencies on approval by the City of Inver Grove Heights on the Comprehensive Plan and Rezoning amendments to a LMDR, Low Density Residential to LMDR, Low -Medium Density Residential (4-8 units/acre) a

compatible land use for the proposed zoning of the project. R-3B allowing a Conditional Use Permit (CUP) to proceed with Blue Ribbon Builders LLC Multi-Family Townhome Project.

This project is proposing to subdivide a 2.13-acre parcel amending the comprehensive plan to change the guided land use from NC, Neighborhood Commercial and LDR, Low Density Residential to LMDR, Low -Medium Density Residential (4-8 units/acre). to R-3B for the development of a 17-unit multi-family townhome community.

Justification of Request

The Comprehensive Plan says its objectives are to encourage and promote quality development and utilize existing infrastructure and city services. We believe this project meets these objectives. While the property is zoned (Parcel A -- R1-C, Parcel B -- B-3), re-zoning the site will provide a broader tax base with pride of ownership. The subject property is a tremendous in-fill location for this multi-family project with convenient access to existing city services, utilities, and conveniently located in a central location with excellent access to major roadways and to the several of the premier shopping areas located in the region.

- There is an existing water main on Cahill and there is an existing onsite sanitary sewer available to be utilized along with all major utilities.
- The proposed use is compatible with surrounding uses.

Based upon the above information, the Applicant respectfully request approval of this Rezoning and Comprehensive Plan Amendment.

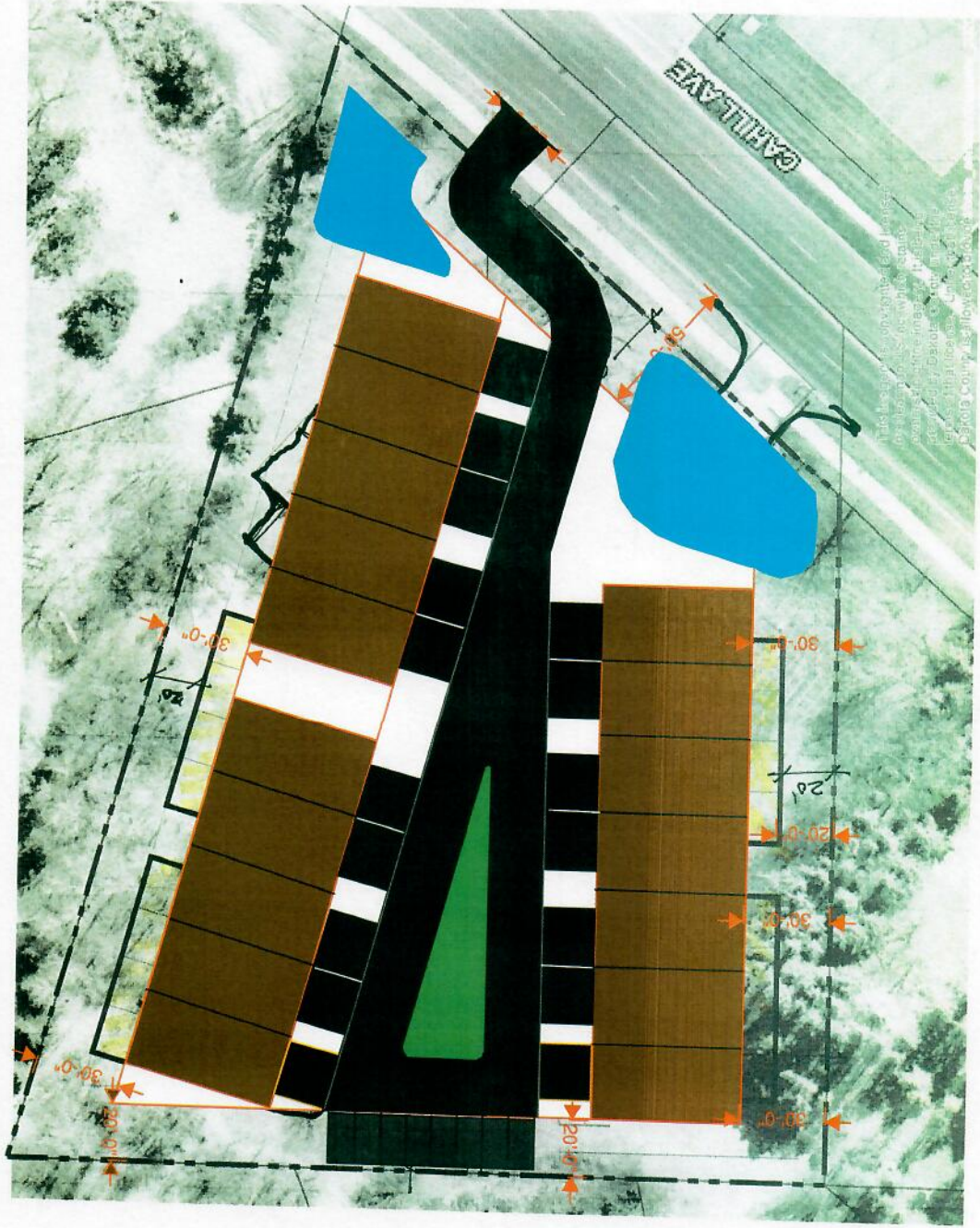
Doug Johnson

Blue Ribbon Builders, LLC
Its: President

763-227-1191

DRAFT

PROPOSED TOWNHOME PLAN 5871 CAHILL AVENUE EAST INVER GROVE HEIGHTS, MN



SITE PLAN
1" = 40'-0"



KU
Design
Commercial
Residential
651-243-5229

GENERAL NOTE:
THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

SITE PLAN

Plan Number
20-133

Scale
1" = 40'-0"

Date
10/14/22

Sheet No.
A1



CASE NO: 21-64PA

APPLICANT: Summergate Development

PROPERTY OWNER: M&E Investments, LLC

REQUEST: Comprehensive Plan Amendment

HEARING DATE: December 21, 2021

LOCATION: 1401 70th Street

COMPREHENSIVE PLAN: LMDR, Low-Medium Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application for a comprehensive plan land use change for a future proposed single family development located in the Northwest Area on land located on the north side of 70th Street, east of Hwy 3. The applicant is proposing an overall project density less than the minimum density allowed under the current designation. The current designation, LMDR would allow for 4-8 per acre. The applicant is proposing a project with an anticipated density of 2.0 units per acre. The applicant is requesting a change to LDR which has a density range of 1-4 units per acre. The project site consists of a single parcel of 77.2 gross acres or approximately 66.9 net developable acres.

The property is currently zoned A, Agricultural and guided LMDR, Low- Medium Density Residential. The property is also located within the Northwest Area Overlay District.

The applicant has chosen to request the land use change portion of the application first before a detailed PUD application is submitted. A concept plan of the development is included with this report. Some elements of the concept plan may need some changes to meet the Northwest Area's requirements and that would be addressed with the PUD plan review. The task at hand with the comprehensive plan review is to determine if Low Density Residential is an appropriate land use.

SURROUNDING USES

The subject property is surrounded by:

North Large lot residential; zoned A; guided LDR.

East Large lot residential (Inver Grove Acres); zoned E-1; guided LDR

West Large lot, Canvas development; zoned A and Residential PUD; guided LMDR, MU, LDR

South Large lot residential; zoned E-1; guided LDR

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject parcel is currently guided Low Density Residential.

LMDR is defined in the 2040 Comprehensive Plan as follows:

"The low-medium density residential category includes a combination of single family attached and single family detached housing that is generally at a greater density than traditional single family housing in Inver Grove Heights. Density of the LMDR category ranges from 4-8 units per net acre. This land use category is principally isolated to the Northwest Area."

Low Density Residential is defined in the 2040 Comprehensive Plan as:

"The low-density residential category encompasses traditional "urban" density development in Inver Grove Heights. LDR includes lots or parcels ranging from 1 unit per acre to 4 units per net acre. Substantial portions of the low-density residential area are anticipated to develop at a density of two to three units per net acre. Housing types in the low-density residential category include single-family detached homes, twin home units and lower density townhome style developments. In all cases, low-density residential development will be served by public water and sanitary sewer systems."

Existing surrounding uses. There are a range of residential densities in the area with new sewered developments approved and older large lot unsewered developments. The land along the entire east boundary of the site is 2.5 acre lots in the Inver Grove Acres subdivision. The land to west along the southern half of the site is the Canvas at Inver Grove Heights development which consists of detached single family homes at approximately 4 units per acre. Land to the north and along northwest corner is large parcels with one home that will eventually develop with sewered residential. These areas are guided LDR with a 1-4 unit per acre range. The land immediately to the south is an existing neighborhood of approximately 5.0 acre lots that will also someday develop into sewered residential of 1-4 units per acre.

The submitted sketch plan shows 123 units over the 66 net acre site. This would be approximately 1.9 units per acre.

The following provides some rationale for approval and denial of the proposed land use change.

RATIONAL FOR THE LAND USE CHANGE

- The site contains many development constraints which makes achieving the current land use designation difficult. The site contains some wetlands and an expanded water body created by the previous landowner. There is also a gas easement running east west through the middle of the site which creates limitations. The topography of the site also creates additional challenges. Required street impacts include; a north-south street, two east-west streets and right-of-way for future 65th Street. Based on these constraints, there is only about 44+ acres of potentially developable area. The proposed density of the site was decreased in the 2040 plan compared to the 2030 plan; however, the physical constraints continue to cause problems in achieving a density range of 4-8 units per acre.
- A low density residential designation could be a better density transition from the existing large lot residential to the east, through this project and then westward. A lower density project allows for more opportunity to provide some type of buffer or possibly an open space buffer between the back yards of the 2.5 acre lots and the proposed lots. An LDR designation would also be consistent with the existing land use designation for the parcels abutting to the north, east and south.
- The applicant has gone through the required sketch plan review process per the Northwest Area and has submitted preliminary information pertaining to the Natural Resource Inventory, net developable area, and development capacity plan. The current sketch plan would fall short, a gap of about 53 units of the anticipated 176 units based on financial and 2040 comp plan density calculations. The applicant recognizes the shortfall of units and will address as possible with a future preliminary plat/PUD application.

RATIONALE AGAINST THE LAND USE CHANGE

- A reduction in allowed density could have an impact on NW Area density financial assumptions and on overall city wide density assumptions.
- Loss of density could have an impact on rooftop totals needed to support commercial in the area and could have an impact on fees collected for park dedication to support park development in the Northwest Area.
- A different or mix of unit types could be provided to increase density. This could be some townhomes or single family on narrower lots.

Northwest Area Infrastructure Financing Policy

The need to maintain densities in the Northwest Area is important to provide the funding to cover the trunk sewer, water costs in the Northwest Area. The 2040 Comprehensive Plan identifies the importance of this and states the following in the plan:

"The City of Inver Grove Heights bases sewer and water infrastructure fees on the land use data from the future land use plan contained in the comprehensive plan. Baseline fees for sewer and water infrastructure systems shall be determined based on applying a reasonable density consistent with the descriptions within the Comprehensive Plan. These densities are as follows (see Table 2-9).

Table 2-9. Assumed Densities in Northwest Area for Infrastructure Financing

Future Land Use Category Density (units per acre)

LDR - Low Density Residential 2.00

LMDR - Low Medium Density Residential 4.00

MDR - Medium Density Residential 8.00

HDR - High Density Residential 12.00

MU - Mixed Use (Residential portion of land only) 15.00

If a developer chooses to develop at a lower density (either by developing at a lower density threshold within the allowable range or by requesting a comprehensive plan amendment to a lesser density land use), then the developer must make up the financial difference in utility connection and hookup fees. The basis for the development is assumed by applying the above densities to the net developable area of the proposed development. This policy was established by Resolution #14-192 adopted by the City Council in November 2014."

Any shortage of units from a comp plan amendment to a lower density would be addressed with the preliminary plat/PUD application and approval.

Overall Density Implications

With the current designation of LMDR and net area of approximately 66 acres, the unit count range for the site would be between 264 and 528. With a designation of LDR, the unit count range for the site would be 66 and 264. Factoring in all the physical constraints on the property, the financial density assumptions for the site is 174 units to pay its fair share of the trunk municipal facilities. A drop to a lower density would increase the chance of a project that does not meet the minimum threshold density. In this case, initial lot count from a sketch plan has 123 lots. More lots will be required to meet the minimum density for the potential R-1C zoning when detailed site plans are submitted.

The change to LDR would have a minimal impact on the city's overall residential density. The comp plan assumes an average density over all residential types of 4.43 units per acre. The requested change would have a minimal impact, bringing the overall density down to 4.33 units per acre.

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 make the following recommendations:

o Approving the Comprehensive Plan Amendment from LMDR, Low Medium Density Residential to LDR, Low Density Residential subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
2. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.
3. The comprehensive plan land use change shall not become effective until a rezoning and development plan has been approved by the City Council.

B. Denial If the Planning Commission does not favor the comprehensive plan amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

This report provides definitions of the existing and proposed comp plan land use designations and some pros and cons for approval. The change to a lower density category would have some benefits in that it would be a better transition to the neighborhood to the east and would be consistent with the guiding of parcels to the north, south and northwest.

The resulting reduced density would not have a significant impact on the city overall and the Comprehensive Plan lays out that a developer would be responsible for covering the cost of any reduction in units from assumed densities.

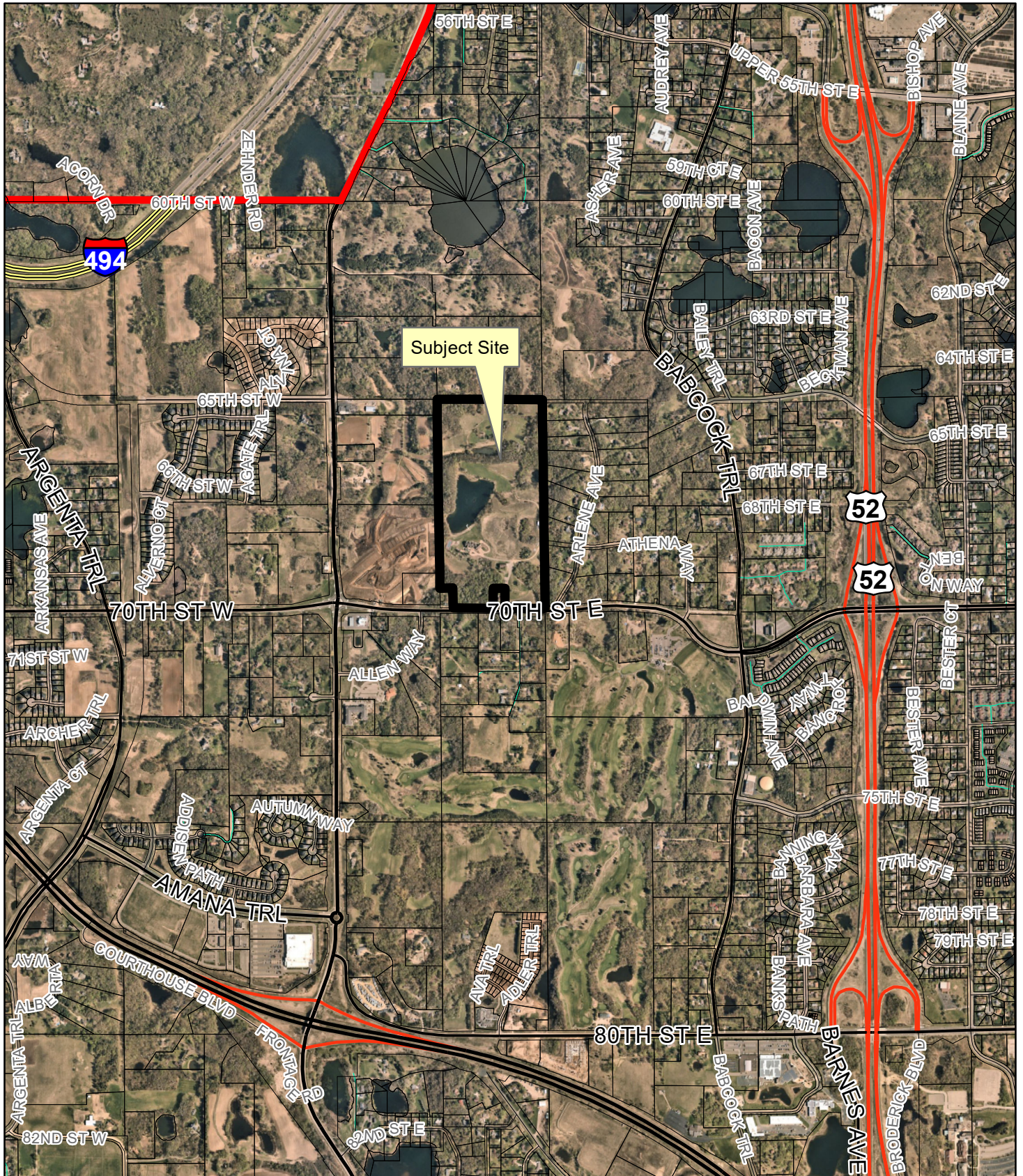
Staff feels the request would be compatible with surrounding existing land use and would not change the character of the area. Staff would be supportive of the proposed comprehensive plan amendment.

Attachments: Location Map
Existing/Proposed Comp Plan Map
Applicant Narrative
Concept Sketch Plan



Location Map

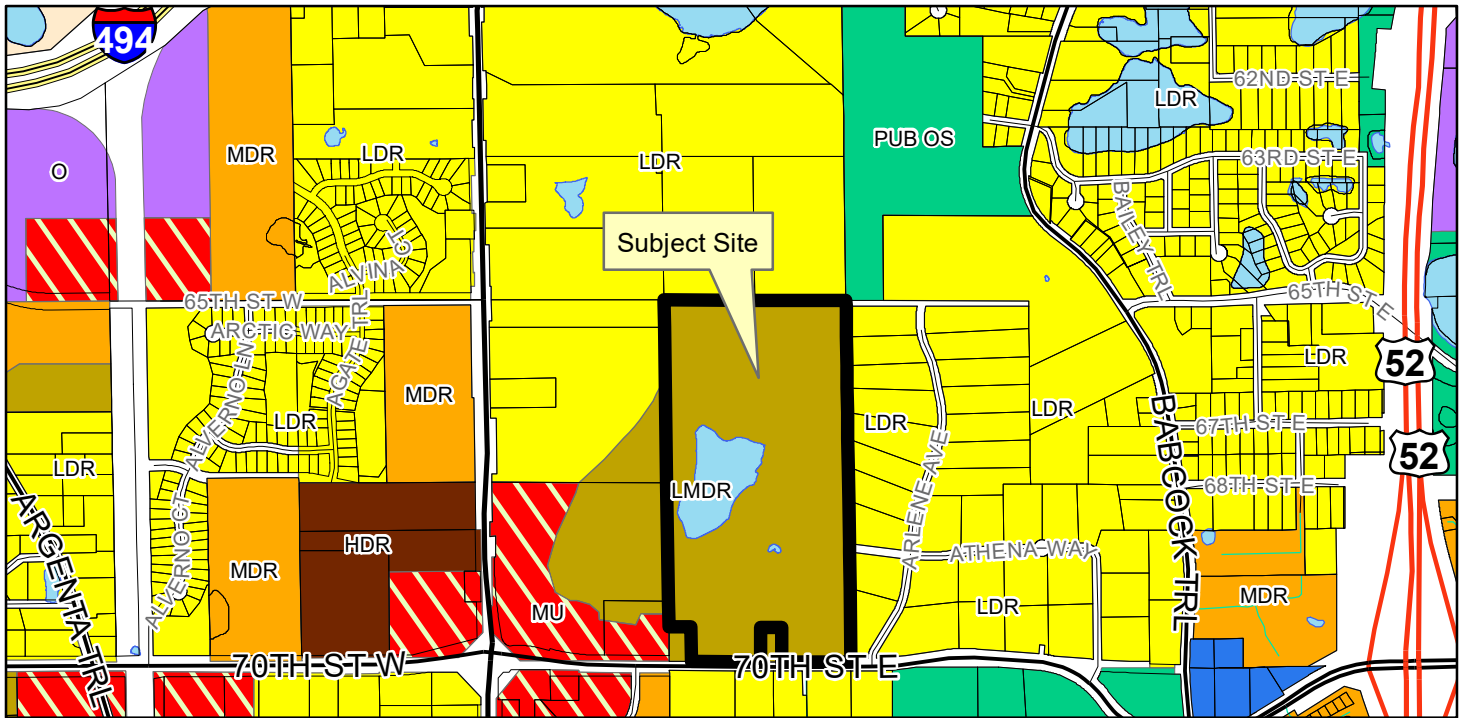
Case No. 21-64PA



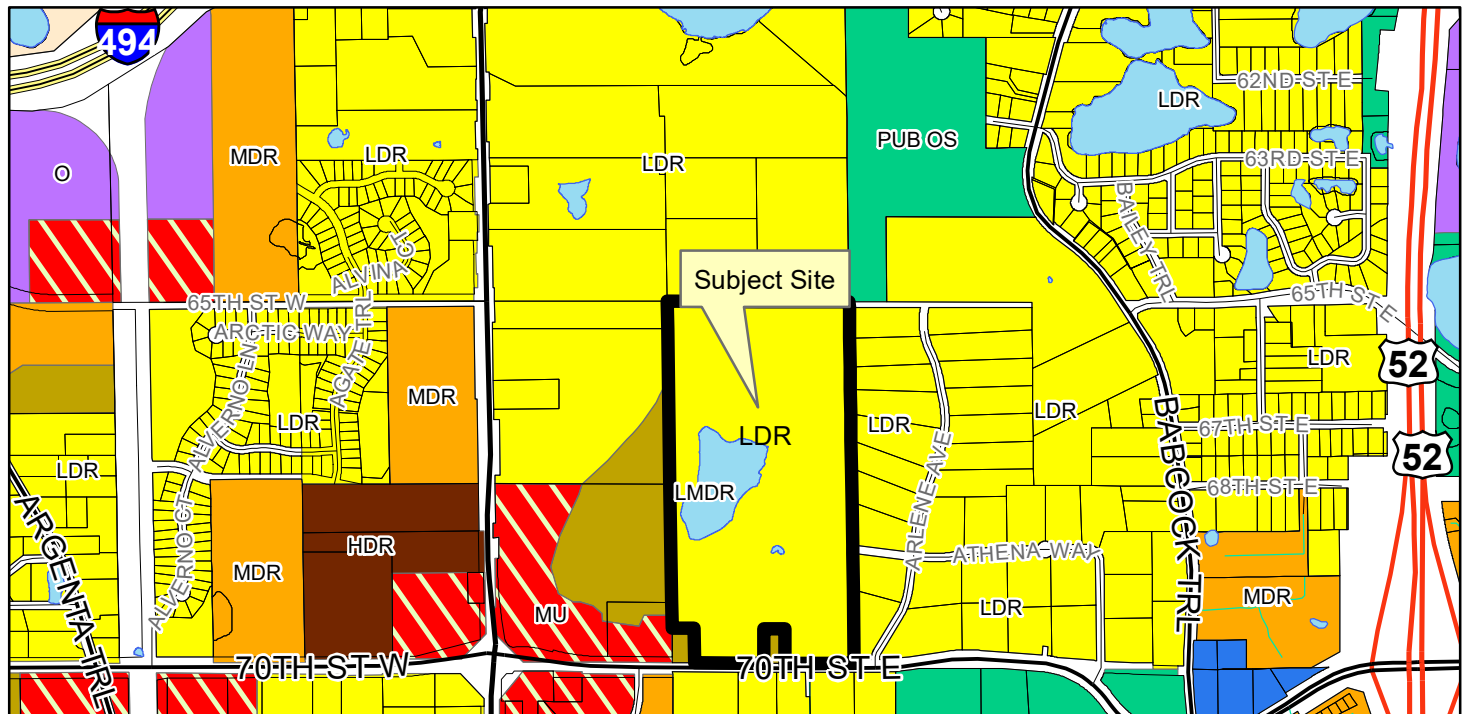


Comp Plan Amendment Case No. 21-64PA

Existing Comp Plan



Proposed Comp Plan





Request Narrative

Summergate Companies is requesting approval of a Comprehensive Plan Amendment, redesignating the property at 1401 70th Street E (Parcel ID#200050053010) from LMDR (Low-Medium Density Residential) to LDR (Low Density Residential). The 77-acre property contains a large estate home and is constrained by numerous wetlands, a gas pipeline easement, multiple fixed access points, and steep slopes. In addition, the open space requirements established within the Northwest Study Area further reduce buildable area and create limited options for site layout and housing product types. The resulting buildable acreage is around 48 acres or 62% of the overall site. Summergate has evaluated several concept plans in order to achieve density requirements established under the current LMDR designation (4-8 units per net acre). Based on the constraints identified previously, along with the intent to retain the existing estate home on acreage and to provide uses that are compatible with adjacent low density residential uses, single family lots have been identified as the most feasible and desirable development approach to the property.

The concept plan under consideration includes approximately 120 lots which would accommodate traditional single homes as well as villa homes. The resulting net density of 2.4 units per acre would necessitate an amendment to the Comprehensive Plan to the LDR designation (1-4 units per net acre). The proposed plan would provide a desirable land use transition from larger acreage lots to the east, south, and north to planned higher density development to the west and would be consistent with the City's land use objectives and policies, notably:

- Creation of a quality living environment that is adapted to the natural environment.
- Street alignments that fit the contours of the natural landscape.
- Provision of housing styles consistent with the inherent characteristics of the site.
- Development that incorporates natural features as integral elements of the residential environment and utilizes natural features as connecting links between and through neighborhood areas.
- Provision of on-site retention of storm water in open space areas without negatively impacting natural areas and without creating negative impacts on the overall visual aesthetics of the area.
- Provision of infrastructure that is consistent with the overall development plan for the area.
- Adequate funding of sewer and water infrastructure extension based on city land use assumptions consistent with the comprehensive land use plan and financial projections based on engineering cost estimates for infrastructure development.
- Land planning that creates neighborhood areas with a unique personality reflecting the natural beauty of the area as well as the overall context of the community.

We respectfully request approval of the proposed Comprehensive Plan Amendment. We look forward to presenting more detailed plans at your Planning Commission and City Council meetings as soon as possible. Please do not hesitate to contact us with any questions or concerns.

SF Sketch Plan w / Regional Basin Overlay

