

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, March 15, 2022 – 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
Anthony Scales
Kate Challeen
Jonathan Weber
Robert Heidenreich
Scott Clancy
Joan Robertson

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

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR MARCH 1, 2022

The Planning Commission Meeting Minutes for March 1, 2022 were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

A. Consider a Major Site Plan Approval for a parking lot expansion on the property located at 5869 Babcock Trail (Krista Monkeliën/Salem Hills Elementary - Case No. 22-10PR).

Reading of Public Notice

Commissioner Simon read the Public Hearing notice to consider the request for Krista Monkeliën/Salem Hills Elementary – Case No. 22-10PR for property located at 5869 Babcock Trail. The request consists of a major site plan review for a parking lot expansion and any other related Variances. Notices were mailed to 49 property owners on March 2nd, 2022.

Presentation of Request

Allan Hunting, City Planner, stated the location is Salem Hills Elementary School with Babcock Trail on the west side, south of Upper 55th Street. The request is for site plan approval for expansion of parking and circulation. There is one entrance point; buses and pickup/drop off utilize the same entrance point and often back up onto Babcock Trail. The proposal is to improve circulation and parking and to separate bus traffic from student pickup/drop off.

- Site would have two entrance/exit points.
- Buses would be separated from other traffic and use the southerly location to park and go towards the back of the building to turn around and come back out.
- Drop off/pick up is on the northerly entrance.
- As they enter there would be more stacking spaces for circulation and heading back out.
- Visitor parking is located in front with additional parking lot expansion for Staff on the north side of the building.

This would be improving the asphalt and expanding along with other improvements. The main

objective is to improve circulation and get cars off of Babcock Trail and have it flow.

- The site complies with all performance standards.
- Screening would be provided along the northern boundary line (required due to location of the parking area).
- Balance of parking does not need other screening.
- Additional lighting and landscaping will be provided.

Engineering has reviewed the site.

- Underground storage will be provided for stormwater management.
- An area would be utilized for ponding.
- Storm drainage direction is the same as it was before.
- The rate doesn't increase (it is all handled internally).

Engineering finds the plan to meet city standards for Stormwater Management and meets all other city requirements. Staff recommends approval of the plan as presented.

Chair Niemioja referenced where the monument was, if that was not storm ponding because it's all handled under the impervious surface of staff parking in both locations.

Mr. Hunting referenced a diagram of the area and responded it would be an underground pipe system. There is an underground pipe storage system where the buses park.

Chair Niemioja asked if there was a rainwater basin in the monument. She questioned if it was stormwater.

Mr. Hunting replied not in those areas. The basin area is open in the front. He responded it is stormwater.

Commissioner Weber asked if the two areas where they would be treating water was impervious. He asked if impervious asphalt would be put in there.

Mr. Hunting responded it is under the asphalt. He said the Engineer could explain it better. He believed pipes filtered it down there, it was not a porous pavement.

Commissioner Weber mentioned a question that was asked in one of the emails received about where they would possibly stack snow.

Mr. Hunting replied their Engineer can address that question.

Opening of Public Hearing

Bill Diede, Bolton and Menk, 7575 Golden Valley, Minnesota, has read and understands the report. He addressed the snow plowing areas stating the snow would be placed in the back parking lot corner area. There would be surmountable curbing in the rounded edge with the remainder being normal 6" high curb. They would utilize the opposite corner behind the building. Additional snow storage could be placed in the green space in front of the building.

Chair Niemioja mentioned an email came in about the lighting. She asked if the lighting could be controlled and if a shield could be placed on them to hold the light onto the property.

Mr. Diede replied the Consultant has information that will be placed on the plans to ensure shielding at the property lines.

Commissioner Robertson addressed the snow/area in front asking if that was a stormwater area.

Mr. Diede responded in the affirmative.

Commissioner Robertson questioned if snow is typically placed on top of stormwater areas.

Mr. Diede replied they do not want to add a sediment and clog the surface basin. The basin would be a dry basin. There would not be any standing water in it when it functions in the summer. In the winter it would be a part of the school maintenance to ensure the basin stays cleaned. While not ideal it is done frequently.

Chair Niemioja mentioned there could be a visibility issue with traffic if the pile gets too high.

Mr. Diede agreed and said it was a big green area, they could move it around.

Chair Niemioja asked for more information about the impervious surface and how the rainwater is being handled.

Mr. Diede replied there are two underground systems. The intent isn't that the water soaks through the pavement, it goes to designed low spots so the water drains to a low area, then into a piping system, into a tank, and makes it way out.

Commissioner Wippermann asked where the water from the underground tanks goes.

Mr. Diede responded there are a couple locations of stormwater discharge on the site. One goes into a ditch near Babcock Trail, the other is under the back staff parking lot where there is an existing pipe running into an existing system going further to the northeast. One other location is south of the bus corral.

Chair Niemioja referenced the north section and asked if the water is leaving the property.

Mr. Diede replied it will. The city has requirements to design the stormwater so specific rain events do not increase the flow to specific locations of stormwater discharge. They meet those requirements. Just like today, there will be some surface drainage. For example, if raining on the parking lot, it would find it's way to the curb and go to one of the low spots, into the system, and completely contained underground into the pipe.

Commissioner Robertson questioned what the capacity of the ditch on the southeast side was before it creates challenges on the road.

Mr. Diede responded that was one of the city's stipulations of managing stormwater. They have to be able to prove the pipe can handle what is being sent to it. They have shown to be reducing flow rates of water going to that pipe. They are still working with the city to finalize calculations.

Commissioner Robertson said eventually that pipe is going to open and drain into the ditch. She asked if Mr. Diede was saying that there will be a control of the flow rate out of the pipe into the ditch so that it won't be too much for the ditch to handle.

Mr. Diede replied that was correct. In the existing condition there is a pipe that goes to that exact same ditch. They would be removing that pipe and putting in a new one. The proposed flow coming out of their project is less than the existing condition.

Commissioner Robertson asked if there have been issues with water overflowing as it sits now.

Mr. Diede responded he was unsure.

Commissioner Robertson mentioned where the water is discharged from the pipes on the north side and asked if that flows into a natural open space.

Mr. Diede responded there is an existing pipe, the location that it discharges is off of their survey. He was unsure if it's contained or lands in a pond or ditch. He said there is an existing volume of water going through that pipe at a specific rate. In the proposed condition they are matching or making it better for rain events.

Chair Niemioja requested the amount of increased impervious surface being added.

Mr. Diede replied he was unsure.

Commissioner Robertson asked Associate Planner Heather Botten how much natural space there is for water run off before hitting the backyards of residents that back up to it.

Mr. Hunting displayed a diagram stating with regards to the City Engineer, the plans meet city standards for stormwater management flowing into whatever existing systems there today.

Commissioner Robertson mentioned it looks better now when she sees it in this way. There is ample space to accommodate water drainage before it hits a residential area.

Commissioner Wippermann asked if the neighbors have had an opportunity to provide input/concerns to Mr. Diede as an Engineering Firm or to the School Board.

Mr. Diede mentioned the School District is in attendance to answer questions. He said he does have a few emails from the city.

Dave Bernhardson, Superintendent of Schools, Inver Grove Heights, 2990 80th Street, said engaging with the neighbors would be a part of the process moving forward regards to how they finish the project, but also to help better understand how to look in the future. He said when present a few years ago when they brought adjacent property, they spoke with a few neighbors about it. When they got to this point of the project that something was going to happen, they would meet with them to discuss things needed to help make sure it's the best situation for everyone involved. For example, on the north side there is a vinyl fence that separates the parking lot. They want to have conversations with the two neighbors directly next to it to see what is best for them and for the school.

Chair Niemioja asked if the address for the entire plat was 5869 or 5899, or 59.

Mr. Bernhardson replied it was 2019 when they took the property and added on to the current property. The address could be for the home that used to be there.

Commissioner Weber mentioned all the engineering plans say 5899.

Chair Niemioja said the application has 5869.

Commissioner Weber mentioned it has both numbers.

Chair Niemioja hoped there wasn't a title issue.

Mr. Bernhardson addressed the question regarding the playground in the area and said it would be relocated to the other side of the property. There are other amenities that go along with it.

Patty Bourgoin, 1830 58th Court East, introduced herself as one of the property owners on the north side saying if at the playground and go straight down, that's her property. Her concern is a recent revamping of waterflow. There is a pipe that comes out at the bottom of the hill and flows along the ditch in the back of their properties. When there's a lot of snow and rain, there is a lot of water that flows along the base of their property. With their neighbor, a lot of water flows into his yard. She wanted to make sure the flow of snow is completely researched, the change of the area from a playground to a parking lot, and that it won't affect how the water flows into their areas. An aerial map was shown with Ms. Bourgoin stating it flows along the line from 1830 towards 1840 and along the back of 1850.

Chair Niemioja said if the City Engineer approves this, this would be the improvement they would be making on the water flow. She mentioned they could follow up with the City Engineer and Applicant if they fail to fulfill their promise. According to the plan they are looking at, it shows decreased water flow to the area.

Tracy Judge, 1810 58th Court East, referenced the aerial map and the black line between the school property and their houses. It is the bottom of a hill, a gradual hill with steepness that varies. There is a berm on the hill taking some of the water already. A couple of years ago under the hill, there were already numerous tanks underneath. She was unsure what capacity those tanks were taking and questioned if more was needed. She asked how much more water would be shooting out of the grade at the bottom of the hill into the yards. She said she was surprised to hear that the playground was moving. She asked if the playground plan was a part of this and if it was the same kind of space and equipment for the kids. It's a very used playground.

Chair Niemioja replied it would be on the south side rather than the north side.

Ms. Judge asked if there was ever consideration to use the space behind the school for parking versus the north side of the school.

Mr. Bernhardson replied the playground was scheduled to be replaced and is being moved to another side of the building. Part of that is due to proximity as kids go outside for recess after lunch; the lunchroom is on that side of the building making a natural flow. It would be the same size equipment if not more. They have found it beneficial to be next to a green space to play on. The cul-de-sac area would have a gate that would close and provide a hard play surface for kids during the school day.

Chair Niemioja asked if the smaller playground was for the preschool.

Mr. Bernhardson replied yes, there are early learning programs at all buildings. This provides a separate age-appropriate space for that age child.

Chair Niemioja asked about the flow rate, existing tanks, and how much would be torn up on the north side.

Mr. Diede believed there was a project in 2016 in which the existing tanks were put in to handle stormwater requirements for projects in 2016. Since they are doing additional projects in 2022, they would be held to the new stormwater requirements. They would not be adding onto that system, but doing a completely separate system. That system would handle what it did in 2016 but be completely independent. He addressed the rate and said it would be the same scenario. The city would require flow rate calculations and make it match or better the existing condition.

Mr. Bernhardson said the tanks were placed in 2016 when the new media center was added in the

courtyard of the existing school. There are currently not collection pieces for water like there would be when they put the parking in.

Commissioner Weber said snow likes to melt faster than the ground likes to thaw. He asked if they would assume the current water retention is going to pick up all of the snow load that is going to be plowed off the surface that would flow into the new system.

Mr. Diede replied when there is a lot of snow there it would block the system that is taking in water like it does today. The provision set in place is to push the snow to the northwest side of the parking lot. They would go back to their calculations with the city. They are stuck with an existing condition but the proposed project matches the condition or makes it better.

Commissioner Weber mentioned the way he sees it is that the new system would capture and contain all of the water that hits the new surface. If plowing over curb and going onto the grass behind the new surface they are leaving the new system and utilizing the old system.

Mr. Diede replied it would not make it into the old system because there is nothing to bring that water into it.

Commissioner Weber asked what happens with snow melt that goes downhill toward homes.

Mr. Diede replied it would melt and go down the hill.

Chair Niemioja said the additional impervious surface will be collected in the piles of snow.

Mr. Diede responded in the affirmative.

Commissioner Challeen asked if it was any different than it is today.

Commissioner Weber questioned if the playground was plowed in the winter.

Mr. Bernhardson replied that it's cleared as much as it can be to make sure there is a place for kids to play. It's not currently all asphalt, there is a play area that has sand.

Chair Niemioja requested the increased impervious surface percentage.

Commissioner Robertson shared she was not feeling confident when talking about snow melt and natural drainage down the hill. The Applicant says it will be better, she hopes that is the case. From what she has heard from residents in the audience is that they still have concerns. She would like further information from the City Engineer with details about if it can be trusted that it would work when there is a giant snowstorm and a huge pile of snow. Currently, the snow is melting so fast the system in some places has water piling in the street. She asked if there was recourse if it doesn't happen that way and ends up with water in ditches that are overflowing into people's backyards.

Commissioner Heidenreich referenced the north parking lot as someone who plows snow saying it would all go off the north side of the hill. It's a downhill slope of about seven feet from the edge of the parking lot towards properties. All snow collected on the parking lot won't be captured in the drain they are installing. It would be pushed over the hill. It would end up in the northeast corner.

Commissioner Weber mentioned it looked like they were grading the parking lot to be flatter on that side, the contours are decreasing. They were doubling the capacity of snow being pushing off the lot. What concerns him was they would start at the road and push it all the way back.

Mr. Bernhardson responded the intent for the north lot is to move the snow to the north and to the west.

Commissioner Weber asked where snow storage would go from the front lot.

Mr. Bernhardson replied that would go to the west side of the basin.

Chair Niemioja referenced C-1.3, where she can see what is currently impervious. To her it looked to be about twice the amount of impervious in this lot.

Commissioner Weber said his concern is when it's said they would be capturing all of the new build stormwater treatment on the site. Then they say they would plow all of the snow over the northwest bank. He said he has a very steep sloped yard, the holding pond in his yard is up 6.5 feet in water. If they have a melt season like the one, they are currently having with frozen ground and water leaving the area and their system isn't capturing it, he is concerned.

Chair Niemioja asked if they had concrete islands in the parking lot.

Mr. Diede responded most are concrete.

Commissioner Weber said Engineering has to have the final say. It was very difficult to look at the C-1.3 layout. He said it was difficult for him to say he was comfortable about putting snow in that specific corner and not worrying about it being captured by the current system on site. If the new plan had them pouring an impervious pad over there and had it connect back into the system currently drawn, he would be more comfortable than just saying it would sit there, melt, and run down the hill.

Commissioner Robertson said that was also the concern she expressed earlier which was brought forward by the two residents in attendance.

Chair Niemioja referenced snow collection on the south side and said she was confident that wasn't an issue. She doesn't see such an increase to cause concern next to the playground due to the field.

Commissioner Robertson questioned what the purpose of the drawn longer line heading toward the south was.

Chair Niemioja responded it was snow collection on the south side first and the north side to a smaller extent.

Commissioner Robertson referenced the snow on the south side west of the playground and asked if they were comfortable that would be managed. There is more impervious surface there. She questioned where the snow was going to go.

Chair Niemioja replied it would go to the huge grass field.

Commissioner Weber referenced the Commission packets saying it says one of the approvals is "asterisked" by the final list of approved plans and that date of plans shall be approved by the City Engineer. He questioned if the City Engineer had any specific questions, concerns, or if this had been reviewed yet.

Mr. Hunting replied the City Engineer told him it meets the city stormwater management.

Commissioner Weber asked if snow loads were reviewed.

Mr. Hunting assumed it was reviewed. When it goes before the City Council, the City Engineer would be at that meeting and could address questions and issues.

Commissioner Weber questioned if it could be added as a Condition.

Mr. Hunting replied in the affirmative.

Dale Beckmann, 1855 58th Court East, said he and his wife built their house 49 years ago and have watched a lot of the development that has occurred in the area over time. He appreciated the project the School District did in 2016 because prior to that the runoff came off of the area. He felt it was misleading in understanding how much water drains to the north in the area. He referenced the southwest corner of the school building going to the residential development to the west and said everything from that area drains to the north and comes down from the park area west of the school. Prior to the improvements made in 2016, the spring was horrendous for neighbors in the area due to the amount of water that ran down the hill. He said two residents experienced wet basements as a result of water runoff. Since the project was completed in 2016, a catch basin has significantly decreased the amount of water experienced in the area. After reviewing the plans, he has significant concerns about the drainage on the north side. The grade is going to be lowered 2.5 feet and the sump may disappear. His concern is that climate change is happening, there are major storms that come in. There are three scuppers on the north side of the school where water comes off the roof onto the drive. Water now runs down to the playground area, which is a pervious surface with a sump where the swing sets are. Water coming off the roof is captured in that area. The impervious surface increase that comes in the north parking lot wipes out the playground area with the grade being lowered 2 feet. Water would sheet across the parking lot from the building with a six-inch curb at the end. There is no berm. He said the plans indicate there is a future parking plan to extend out over the area. Getting a storm that goes beyond the design of the system, if having a 15- or 25-year storm and get a 100-year event, the safeguards put in place with the existing system are now dissipated. Those living below the hill would experience significantly more runoff. He hoped that before this goes to the City Council, they actually have a chance to offer input. He has ideas. He was concerned about snow being placed back there. He mentioned the system currently works really well; he would hate to see any change that come from that. He mentioned he would like to have the chance to talk about it before the plans go before the City Council. He is trying to find the means to adding all of the impervious surface, keeping the charm of the area, and protecting the homeowners to the north. He requests the chance to meet with the School District.

Chair Niemioja said they would likely add something to the Motion to make sure there is more discussion.

Erin Staples, 5851 Babcock Trail, is the property owner on the south/west side. The playground is currently to her west. Her biggest concerns are with drainage. The snow is being plowed right along the fence behind the playground and is currently draining badly into her yard. She said it did not sound like the snow would be plowed there any longer, which would take care of that situation. She mentioned her neighbor at 5847, who couldn't be in attendance, and herself, have a lot of concerns about the back up of traffic on Babcock. Their driveways are always blocked at drop off and pick up time. She asked if the plan was going to help alleviate the issue. She asked if there was a pickup lane that goes around the whole parking lot.

Chair Niemioja replied it looked that way, the Applicant can speak to it to make sure. She felt the end goal was to keep traffic away from her driveway.

Ms. Staples said they bought the property in 2011. They put a cedar fence along the west/south side, it doesn't extend all the way down to Babcock. She asked if there would be a fence there and if so, where it would go in terms of variance from the current property line. She asked if there would be lighting along the area. She said the property the School District purchased was her previous neighbor, it sounds like it will be moved closer to her property. She questioned how close and if there was going to be sidewalk there.

Mr. Bernhardson addressed fencing and said they would work with the neighbors on designing the fence that would go there and what the placement would be.

Chair Niemioja asked how much more capacity traffic-wise they are anticipating in pick up.

Mr. Diede responded in the existing condition 17 cars can wrap around the parking lot stacked. In the proposed condition without using Staff parking to the north, they could get 27 cars stacking throughout. If using Staff parking where they could go north and come all the way around, that would increase to the 50's. This could take a potential 40 cars off the street and put them on site.

Commissioner Robertson understood there would be more room for cars turning in for pickup off of Babcock. She commented about going into Staff parking and coming back around and asked if there was a gate there that would be opened. She asked if it was the intent that staff parking would be designed in a way that would allow individuals picking up their kids to loop up and around and come back down.

Mr. Diede agreed. He said there was not a gate there, it's a pedestrian crossing.

Commissioner Robertson asked if it would get crowded with staff parking.

Mr. Bernhardson replied the intent is that people would enter and do the regular wrap around to keep things flowing. If things became challenging, they could use the extra access to get more cars off of Babcock.

Commissioner Heidenreich referenced the property located to the north and asked if the property line encroaches onto School property where the wood fence is. He said it appears the entire driveway is on School property.

Mr. Diede responded the entire driveway is on school property.

Chair Niemioja asked if it was an easement.

Mr. Diede replied it was a true property line.

Commissioner Heidenreich asked if the school was reclaiming the property, abandoning their driveway, or accepting it as is. It states future walk.

Mr. Diede replied the entire project is on school property.

Commissioner Heidenreich mentioned that it angles off to the east/northeast and looks like a 30-foot encroachment on that side. It states property line documentation. Both driveways are almost a 30-foot offset at the northeast corner.

Chair Niemioja asked if it was school property or if the Staples family had an easement.

Associate Planner Heather Botten responded that to her it looked like a part of the flag lot to the Staples property. She did not believe it had anything to do with the School District.

Chair Niemioja said the plan isn't going to take any additional property.

Commissioner Robertson mentioned what they were looking at seems to be agreed upon that everything that is a part of this project is on School District property. She said the questions about the north area isn't something that has to be answered this evening.

Chair Niemioja said it might be worth looking into.

Mr. Bernhardson said the property line was established when the other house was on that property.

Chair Niemioja clarified that there was a preexisting fence, this is being based off of that fence. She asked if there would be a walkway next to the fence.

Mr. Bernhardson replied when visiting with the County they had preferred the School District put a walkway in there because it would adjoin to Babcock if there were any improvements made in regards to walking trails. It was left as something that could come in the future depending on what the County does with Babcock Trail. It is not a part of the current plan.

Chair Niemioja requested information about where new lighting would be added along the route.

Mr. Hunting displayed a lighting map and pointed out locations for light fixtures.

Commissioner Weber asked if the south ones were current or additions.

Mr. Diede replied that he believed they were additional.

Commissioner Robertson asked if the lighting would be facing towards the school/school property and not out beyond it.

Mr. Diede responded that was his understanding. They have a consulting Electrical Engineer who would know more about the fixtures.

Chair Niemioja said she had asked, and it has been confirmed, that they would look into the use of shields. That could be added as a specific Condition.

Commissioner Scales said he believed City Code makes it that a visible light source cannot be seen so it all shines down.

Commissioner Robertson said if it was a part of City Code it doesn't need to be added as a Condition.

Chair Niemioja closed the Public Hearing.

Planning Commission Discussion

Chair Niemioja said two additional emails were received today and needed to be added into the record.

Motion by Commissioner Simon, second by Commissioner Weber, to include the two new emails that arrived after the Commission packets came out.

Motion carried (9/0).

Commissioner Robertson felt excellent decisions were made at Pine Bend School regarding the discussion on moving the playgrounds and broke them up for younger and older kids. She felt confident that what she is seeing here is well thought out.

Chair Niemioja agreed. She added that she drives by a lot of schools between Inver Grove Heights and Eagan and sees many backups with regards to traffic. She said Babcock Trail is such a tricky road, it's terrifying to see cars flying by when people are just trying to get their kids. She felt this was a great move by the School District with a couple of water issues.

Commissioner Scales stated parking lot lighting is listed as Condition #3. Commissioner Robertson shared a Condition that says the City Engineers will be sure everything related to water conforms to City Code. The City Engineer believes all is in order. She believes we have a great City Engineer but is kind of concerned. She said it would be difficult for her to put her stamp of approval on this until she gets a better sense of the handling of snow and that the runoff down the hill won't affect them later. It has happened before. Based on that, even though it may set things back a bit, she would be reluctant to say Aye to a Motion tonight for that reason. She wanted additional assurance that residents on the north side are not going to have undue complications because it didn't quite work out as planned.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Wippermann, to approve the parking lot expansion on property located at 5899/69/59, Krista Monkeliën/Salem Hills Elementary - Case No. 22-10PR) with the current 7 Conditions listed and adding in an 8th Condition that the City Engineer, based on plowing going off of the impervious surface, relook at the water calculations to make sure that if all of the snow is plowed from Babcock to the northwest corner, the snow is picked up and contained in the new water system.

Motion carried (7/2) - Robertson, Heidenreich. This item will go before the City Council on April 11, 2022.

B. Consider a Bishop Heights Planned Unit Development Ordinance Amendment to allow a Recreation Use on Lot 1, Block 1, Inver Grove Market (Michael Bischel – Case No. 22-09PDA).

Reading of Public Notice

Commissioner Simon read the Public Hearing notice to consider the request for Michael Bischel – Case No. 22-09PDA located at 5828 Blaine Avenue. The request consists of a Zoning Code Amendment to the Bishop Heights Planned Unit Development to allow for a Recreation Center on Lot 1 Block 1, Inver Grove Market. Notices were mailed to 29 property owners on March 2, 2022.

Presentation of Request

Heather Botten, Associate Planner, stated the request is for property located in the southeast corner of Blaine and Upper 55th Street. The property is in the Southeast Quadrant Planned Unit Development/Bishop Heights PUD. The PUD was written and recorded that each individual lot is approved for certain uses. Current uses in the building are retail, a sit-down restaurant, and a fast-food restaurant. The Applicant wants to open up an Axe Throwing business, which falls under the Recreation Center definition. Under current uses approved for the site, Recreation Center doesn't fall under any. The PUD would need to be amended on Parcel 14. They are reducing the amount

of retail space within the building, dropping it down to 10,200 square feet, and adding 3,800 square feet for Recreation Center space. There are no additions being proposed to the building at this time. There are no changes to the access, it would be staying the same. For parking, there isn't anything in the Code that talks about parking requirements for an Axe Throwing business. Staff looked at a Bowling Alley, which would be similar. The requirements for a Bowling Alley would be six spaces per alley. Axe Throwing has "arena's". There are seven arenas; 42 parking spaces would be required to be max capacity for this use. Staff does not believe parking would be an issue. There are 114 parking spaces around the property. Based on the Applicant's description, prime hours would be off peak compared to the majority of other businesses on site. Staff recommends approval of the request and Amendment to the Bishop Heights PUD with the four conditions listed in the Staff Report. Staff has heard from four people that notices were sent out to regarding general inquiries. It was felt the term Recreational Center scares people. Once they were told what was being proposed in a portion of the building, not the entire site, everyone seemed fine with the request.

Commissioner Simon asked if anyone had the responsibility of looking at the internal layout.

Ms. Botten replied there were building permits that would be pulled for it. The Building Official/Inspections Department would approve a Certificate of Occupancy for the use.

Commissioner Simon felt occupancy was different than axe throwing.

Ms. Botten replied the Applicant could respond to that question.

Commissioner Challeen questioned if the definition of Recreation Center included liquor.

Ms. Botten replied that the definition of Recreation Center is not specific to having liquor or not. The Applicant is not currently proposing to serve liquor. If he would, he would need to get a separate license from the city.

Commissioner Robertson asked if there was food service/restaurant.

Ms. Botten replied the Applicant could answer the question further, but at this time he is not proposing to do any type of food service. She said she compares it to an Escape Room where you show up, do your activity, and then visit surrounding restaurants in the community/nearby for food and beverage.

Commissioner Scales guessed it to be similar to an Archery Range.

Opening of Public Hearing

Dustin Kerr, 4485 Cinnamon Ridge Trail, Eagan, Minnesota, said he has read and understands the report. He addressed some of the questions made beginning with axes going through sheetrock and said that is a concern for axe throwing places in general. They are built with many layers of wood in place. Before it gets to sheetrock, there is a plywood backing, followed by a backboard of 2-inch-thick plywood, another set of plywood, and then actual target boards. There is about 4-5" of wood before it even gets to the drywall.

Chair Niemioja asked if this was comparable to an Archery Range and that food and drink would be elsewhere.

Mr. Kerr replied the most they do for food/drink is fridges for Gatorade and snacks. There are no plans for full food service at this point.

Commissioner Scales asked if there was an age limit.

Mr. Kerr responded due to insurance the youngest they would have is age 14 with an adult's permission. There is no max age. He hopes to get started with schools and have leagues.

Commissioner Wippermann questioned the layout provided and asked if it was counters or tables in the middle.

Mr. Kerr replied most of that would be open tables on rollers so they can be moved around. The goal is to keep the middle area as open as possible.

Chair Niemioja closed the Public Hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Clancy, to approve the request for the Bishop Heights Planned Unit Development Ordinance Amendment to allow a Recreation Use on Lot 1, Block 1, Inver Grove Market (Michael Bischel – Case No. 22-09PDA) along with the list of 4 conditions.

Motion carried (9/0). This item goes before the City Council on March 28, 2022.

4. OTHER BUSINESS

5. ADJOURN

The meeting was unanimously adjourned at 8:17 p.m.

Respectfully submitted,
Sheri Yourczek, Recording Secretary