

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, June 7, 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
Anthony Scales
Jonathan Weber
Robert Heidenreich
Joan Robertson
Kate Challeen
Jaime Besser

Commissioners Absent: Scott Clancy (excused)

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

Chair Niemioja congratulated Commissioners Wippermann and Weber for being reappointed to the Commission and welcomed Commissioner Besser.

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR MAY 17, 2022:

The Planning Commission Meeting Minutes for May 17, 2022 were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

A. Consider a Variance to create a new parcel without lot frontage at 9250 Arnold Avenue (Dale Suckstorff & Margaret Bailey - Case No. 22-24V).

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice to consider the request for Dale Suckstorff and Margaret Bailey – Case No. 22-24V. The request involves property located at 9250 Arnold Avenue and consists of a variance to create a new lot without road frontage accessed by a shared driveway. Notices were mailed to 7 property owners on May 25th, 2022.

Presentation of Request

City Planner Allan Hunting discussed the site located at the end of Arnold Avenue. The applicant proposes dividing their parcel into two lots on their 9.8-acre property. There is an existing house on the lot. The new lot would be a little over 2.5 acres with the other lot being approximately 7 acres. The configuration would not have any frontage but still has to meet a lot width of at least 200 feet where a building site would be. Staff believes this to be a reasonable request, it is in an area of the city that had been developed over time. The Building Inspector has looked at their soil boring information and determined the area to be suitable for a septic system. Lot B would create their own separate driveway for the lot as the existing lot has a driveway along the west boundary which would remain. An easement would be needed over Lot B for access. Staff believes this to be a reasonable request and recommends approval as presented.

Chair Niemioja questioned the rule for the Fire Marshal and the purpose of the 30 feet. She asked if not having a separate driveway was a concern.

Mr. Hunting replied they were trying to make sure each lot had its own. He replied about the separate driveway stating there is an existing driveway, the other lot would have its own new shorter driveway.

Opening of Public Hearing

Dale Suckstorff, 9250 Arnold Avenue, stated this request was an option for them to downsize and still live on the property they really like. He said he has read and understands the report.

Commissioner Robertson questioned the long narrow extension from Lot B going up.

Mr. Suckstorff replied there is water (lake) in the back, this gives the new lot access to the water. They plan to live on Lot B.

Commissioner Robertson asked if those on Lot A would have access to the lake.

Mr. Suckstorff replied in the affirmative.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Wippermann, to approve the variance to create a new parcel without lot frontage at 9250 Arnold Avenue (Dale Suckstorff & Margaret Bailey - Case No. 22-24V) with the three conditions listed and using the two practical difficulties listed.

Motion carried (8/0). This item will go before the City Council on June 27th, 2022.

B. Consider a Variance from the minimum lot size and width requirements for a lot split on the property located at 6325 Dawn Avenue (Kinetic Capital, LLC - Case No. 22-22V).

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice to consider the request for Kinetic Capital, LLC - Case No. 22-22V. The request includes property located at 6325 Dawn Avenue and consists of a variance from minimum lot size and width requirements for a lot split and any related variances. Notices were mailed to 7 property owners on May 25th, 2022.

Presentation of Request

Associate Planner Heather Botten discussed the request for property located at 6325 Dawn Avenue between 63rd and 64th Street, zoned R-1C, Single Family Residential District. The lot is 18,000 square feet in size and 60 feet in width. The lot abuts Dawn Avenue to the east and Dawn Way to the west. The applicant would like to split the property in half creating two lots that would be 9,000 square feet in size and 60 feet in width. A variance is needed due to the minimum lot size being 12,000 square feet for lot size and 85 feet for lot width. If the variances are approved, the applicant would have to come in for an administrative subdivision which is handled at the staff level. The property was originally platted in 40-foot lots in 1887. Over time lot boundaries changed with them now being an average of 60 to 75 feet. An alleyway was vacated on the property. Staff determined that around 1978 the lots were combined and consolidated into one tax number/PID Number. When that took place, they lost grandfathering rights to build any kind of house on the western side. The proposed lot size and width are similar to other lots in the neighborhood. There

is a small shed on the property that would have to be moved two feet over to the east to comply with the new rear yard lot line. City water and sewer is available to the property. The property is unique because it was two tax parcels at one time. The lots comply with the 70% rule for existing lots of record. The request is not out of character with the neighborhood and is consistent with the comprehensive plan designation of low density residential. The request does not seem to have any adverse impacts on neighboring properties. Staff recommends approval of the variances with the four conditions listed. She mentioned that staff heard from one neighbor who submitted an email; once the report was read, he was supportive. One phone call and one couple came in to inquire; once finding out the intent of the request there were no issues.

Commissioner Weber asked if the entire alleyway was vacated.

Ms. Botten replied it was not. It was only vacated between these two parcels.

Motion by Commissioner Robertson, second by Commissioner Scales, to add the most recent email received to the public record.

Motion carried (8/0).

Opening of Public Hearing

Lauren Beaudoin, 10820 Birch Lane, Woodbury, said she has read and understands the report.

Commissioner Robertson asked if the row of trees were on Parcel B (existing lot), or if they would be a part of the new lot.

Ms. Beaudoin replied the trees are on the back end of Parcel A and would stay depending on where the house would go.

Chair Niemioja questioned if there would be a problem moving the shed on Parcel B.

Ms. Beaudoin replied it should not be a problem.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Robertson, second by Commissioner Challeen, to approve the request for a variance from the minimum lot size and width requirements for a lot split on property located at 6325 Dawn Avenue (Kinetic Capital, LLC - Case No. 22-22V) with the conditions listed and the practical difficulty of reverting back to the previous formation.

Motion carried (8/0). This item will go before the City Council on June 27th, 2022.

C. Consider a Variance to allow signs within the setback requirements on the property located at 5590 Babcock Trail (Ron Clark Construction - Case No. 22- 25V).

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice for Ron Clark Construction – Case No. 22-25V. The request involves property located at 5590 Babcock Trail and consists of a variance to allow two freestanding signs where one is the maximum, and to allow the signs within the required setback areas. Notices were mailed to 5 properties owners on May 25th, 2022.

Presentation of Request

City Planner Allan Hunting mentioned that the site location for Babcock Apartments is Upper 55th

and Babcock Trail, next to the existing Church. Two variances are needed. The applicant proposes relocating the existing sign for the Church because it is right in the middle of where the new driveway would go in. They also want to have a new sign for the apartment building. He mentioned that the apartment building doesn't have any frontage area to put a sign showing the entrance point. One of the variances is to have two free standing signs on the Church property, which is zoned P – Institutional, the other is for setbacks. The Church sign would be moved to the west on the property line and have a zero setback from the front where 10 feet is required. The other sign would be 10 feet from the property line with a two-foot setback from the east boundary where 10 feet is required. Separate signs were wanted with both projects so there would be no confusion on them being related or that they were tied to one another. Staff suggested the signs be staggered for better visibility. Staff believes there is rationale because one sign had to be moved, the odd configuration of the lot, and having separation between uses so there is no confusion. The staff report includes criteria for a practical difficulty. Staff believes the request meets the criteria and recommends approval of both variance requests for the two signs.

Chair Niemioja referenced how the road curves stating visibility for the zero setback is helpful.

Commissioner Weber asked if the signs were varied in terms of height.

Mr. Hunting replied the proposed signs would meet all size and height requirements for both zoning districts. The height of both signs were the same. The applicant may have further information on sign design.

Commissioner Weber questioned if the tree located near the fire station was going to be removed due to the sign placement.

Mr. Hunting assumed the sign would be under the tree canopy. The applicant would have further information.

Commissioner Robertson asked if the new driveway coming off of Upper 55th would be shared between the Church and apartment building.

Mr. Hunting replied in the affirmative.

Commissioner Robertson questioned if there was a separate fire entrance for the apartments.

Mr. Hunting replied that he was aware the Fire Marshal looked at it, but was unsure what the determination was.

Opening of Public Hearing

Mike Roebuck, Ron Clark Construction, 16431 Highland Circle, Lakeville, has read and understands the report.

Commissioner Robertson asked if there was discussion about a need for a second entrance for fire.

Mr. Roebuck replied access was looked at directly behind the fire station, the Fire Marshal and Fire Chief determined it wasn't required. They did have to prove the radius in the parking lot worked for fire trucks.

Commissioner Weber asked if there were varying sign heights or if they would be the same.

Mr. Roebuck replied the Church was looking to reuse their existing sign, which is about 8 feet to the top with a 4-foot base. Their own sign is longer and lower. The heights would vary.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Wippermann, to approve the variance for property located at 5590 Babcock Trail (Ron Clark Construction - Case No. 22- 25V), to allow two free standing signs on the property, subject to the one condition with the listed practical difficulty and the variance to allow one sign with a zero setback from the front property line where 10 feet is required. With the one listed condition, the practical difficulty as listed, and the two-foot setback from the side yard.

Motion carried (8/0). This item will go before the City Council on June 27th, 2022.

D. Consider a Conditional Use Permit to allow for a manufacturing use within the existing building located at 6286 Claude Way (Dashfire, LLC - Case No. 22-26C).

Commissioner Weber read the Public Hearing Notice for a request by Dashfire, LLC - Case No. 22-26C. The request is for property located at 6286 Claude Way and consists of a conditional use permit to allow a manufacturing use in an existing building and any related variances. Notices were mailed to 6 property owners on May 25th, 2022.

Presentation of Request

Associate Planner Heather Botten presented the request for property located on the east side of Claude Way in I-1 zoning - Limited Industrial. The applicant requests a conditional use permit to allow manufacturing within the southern portion of the existing building. The applicant is a micro distillery with a focus on the production of bitters, spirits, and ready to drink cocktails. They handle manufacturing, bottling, and canning of the products. The site is 4.16 acres in size and connected to city utilities which can accommodate this use. The applicant is not proposing any building additions and is not planning on changing the parking lot or impervious surface on the property. The request complies with the conditional use permit requirements and the use is consistent with the comprehensive plan. The applicant has been working with the Fire Marshal and the Building Official to be in compliance with all building and fire code requirements for the interior remodel of the site. Noises would not be inconsistent with the industrial zoning. Staff recommends approval of the CUP with the four conditions listed. Staff has not heard from any of the surrounding property owners.

Opening of Public Hearing

Lee Egbert, 354 Saratoga Street South, St. Paul, said he has read and understands the report.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Heidenreich, to approve the Conditional Use Permit to allow the manufacturing use within the southern portion of the existing building located at 6286 Claude Way (Dashfire, LLC - Case No. 22-26C) with the four conditions listed.

Motion carried (8/0). This item will go before the City Council on June 27th, 2022.

4. OTHER BUSINESS

A. Elections

Chair Niemioja took nominations for the Planning Commissions Elections.

Commissioner Wippermann nominated Elizabeth Niemioja for the position of Chair. Second by Commissioner Scales.

Motion carried (8/0).

Commissioner Weber nominated Commissioner Tony Scales for the position of Vice Chair. Second by Commissioner Robertson.

Motion carried (8/0).

Commissioner Scales nominated Commissioner Jonathan Weber for the position of Secretary. Second by Commissioner Heidenreich.

Motion carried (8/0).

Chair Niemioja reminded the Commission of the picnic taking place on the 20th at the Swing Bridge. City Planner Hunting requested the Commission make sure to RSVP for the picnic.

Chair Niemioja mentioned there would be a quorum for the July 5th meeting. Commissioner Weber and herself would not be in attendance. City Planner Hunting mentioned there is one item scheduled for a cut off to be at that meeting.

Commissioner Robertson asked if summer availability had been discussed with Commissioners. Chair Niemioja asked Community Development Specialist Kim Fox if she has heard from the Commissioners about the days they would be gone. Community Development Specialist Fox replied that she believed she has and does not recall a lot of people being gone the same day.

5. ADJOURN

Motion to adjourn the Planning Commission Meeting by Commissioner Weber at 7:41 p.m.

Respectfully submitted, Sheri Yourczek, Recording Secretary