

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, September 20, 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 (Chair)
Dennis Wippermann
Anthony Scales
Scott Clancy
Robert Heidenreich
Joan Robertson
Kate Challeen
Jaime Besser

Commissioners Absent: Jonathan Weber (excused)

Staff Present: Allan Hunting, City Planner
Heather Botten, Associate Planner

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR JULY 19, 2022:

The Planning Commission Meeting Minutes for July 19, 2022 were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

A. Consider a variance to allow a sign to be located within the front setback on the property located at 5590 Babcock Trail (Ron Clark - Case No. 22-42V).

Reading of Public Notice

Commissioner Scales read the Public Hearing Notice to consider the request for Ron Clark Construction - Case No. 22-42V for property located at 5590 Babcock Trail. The request consists of a variance to allow a free-standing sign within the required setback area and any other related variances. Notices were mailed to 3 property owners on September 8, 2022.

Presentation of Request

City Planner Allan Hunting presented the request for a sign variance stating that in June, Ron Clark Construction requested and received approval for two signs. With the second sign at a 10-foot setback, utilities were discovered in the area. The request is to move it forward and out a ways away from the driveway. It is still within the approved setback from the side at a zero setback. Staff determined there is a practical difficulty with the location of the utilities and that they have to move the sign. Staff recommends approval of the variance as presented. The applicant was unable to attend the meeting.

Opening of Public Hearing

Gloria Lawler, 5648 Babcock, asked if the sign was supposed to be lit.

Mr. Hunting replied he was unsure.

Ms. Lawler stated that two of the windows in her home face straight to the sign. If lit, she would

have difficulty sleeping. She mentioned that an ambulance sits across the street, their lights go straight into her home and wakes her up. She was not interested in having this be a lit sign.

Chair Niemioja questioned if the sign was previously at a six-foot distance.

Mr. Hunting replied it would be 10 feet closer than what the original approval was.

Chair Niemioja stated the Planning Commission is unable to change the lighting of the sign.

Mr. Hunting commented that the lighting of the sign is allowed by code and cannot be prohibited. Sometimes there is lighting down low that shines into it, of which needs to be shielded and pointed to the sign so there isn't a reflection. Code does have illumination standards and should not exceed limitations.

Chair Niemioja asked if Ms. Lawler could receive information from the developer through Staff.

Mr. Hunting replied staff could check on that information.

Ms. Lawler mentioned there would be a lot of vehicles coming in and out of the one driveway. If it would become a problem for her, she would be back requesting a fence.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Challeen, to approve the variance from Section 10-15E-7E to allow the apartment sign with a zero-foot setback from front property line whereas 10 feet is required with the one listed condition along with the practical difficulty as listed for property located at 5590 Babcock Trail.

Motion carried (8/0). This item goes before the City Council on September 26, 2022.

B. Consider the following requests for the property located at 7555 Cloman Way (Brian Friemann - Case No. 22-39ZV):

- a) A rezoning of the property from R-3A, multiple-family to R-2, two family residential.**
- b) A variance from the minimum lot size and width requirements for a duplex.**
- c) A variance to allow a second story building addition within the side setback.**

Reading of Public Notice

Commissioner Scales read the Public Hearing Notice to consider the request for Brian Friemann - Case No. 22-39ZV. The request involves property located at 7555 Cloman Way, PID#20-01000-76-020 and consists of:

- Rezoning the property from R-3A, multiple family, to R-2 two family residential
- A variance to utilize the 1-foot setback to add a second story onto the existing building
- A variance for the minimum lot size and width requirements to allow a duplex on an existing parcel and any other related variances.

Notices were mailed to 33 property owners on September 8, 2022.

Presentation of Request

Associate Planner Heather Botten presented the request for property located south of 75th Street on the left side of Cloman Way. It is currently zoned R-3A and is .21 acres in size. The existing building has mostly been used as an office and is the only commercial type of use in the residential neighborhood. The applicant requests renovating the existing building and improving the structure by adding a second story or residential addition. The applicant is also proposing a detached garage on the property. The applicant would be reducing the impervious surface on the lot by removing the parking lot and asphalt in the back and turning it into green space. The applicant proposes rezoning the property to R-2, two family residential district, and utilize it as a duplex. City sewer and water are available to the site. The property is currently guided low density residential. There are other multiple family units to the north, south, and east of this lot with a Church to the west. The request does not appear to have an adverse effect to neighboring properties.

The existing building on site was built in 1960 and is currently a legal non-conforming structure located one foot from the southern property line. A variance is necessary due to the change of zoning and use. The garage would be added and use a shared driveway with the property to the north. The applicant would have to provide a driveway access agreement to staff prior to issuance of any building permits for the lot. The engineering department has reviewed the site plan, no stormwater treatments are required on the lot. The applicant requests the following variances,

- From the minimum lot size and requests the duplex be on the 8,957 square foot lot whereas 15,000 square feet is required. The lot is 73 feet wide, whereas 100 feet is required for a duplex.
- The second variance would be for the second story addition being located one foot off of the property line.

Any type of residential re-development on this property would require variances from lot size and lot width. It does not comply with single family zoning requirements. This would provide more affordable housing in the city. Staff believes the second story to be a reasonable addition and does not believe this would impact the neighborhood. Staff recommends approval with the four conditions listed. One change needs to be made to Condition #4, there was an incorrect address listed. It should be listed as 7555 Cloman Way.

Commissioner Besser asked what the current plan was for the 7535 existing building.

Ms. Botten replied that would also be renovated into a duplex.

Commissioner Besser asked who would be using the shared driveway.

Ms. Botten responded that it would be used by the tenants of the new structure.

Commissioner Wippermann inquired if the main building was currently one foot and if the second level would have an overhang.

Ms. Botten replied in the affirmative. There will not be an overhang on the second story.

Opening of Public Hearing

Nick Lewandowski, 3930 Worchester Drive, Eagan, Minnesota, introduced himself as the representative for the applicant. He has read and understands the report. Commissioner Robertson asked what the price range would be as it was referenced as affordable type housing.

Mr. Lewandowski replied he didn't have exact numbers at this time but guessed it to be about \$1,200 to \$1,500 per unit.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

Commissioner Challeen mentioned this would be an improvement for the neighborhood.

Commissioner Robertson was pleased to hear there was going to have some additional greenspace.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Wippermann, for approval of the rezoning from R-3A multiple family, to R-2 two family residential, with the corrected address included as follows: 7555 Cloman Way.

Motion carried (8/0).

Motion by Commissioner Robertson, second by Commissioner Heidenreich, to approve all variances as listed in the report for a variety of reasons, but one being it is about the best that can be expected for that size of property and improves the property with the practical difficulty of the age and it being former non-conforming for property located at 7555 Cloman Way.

Motion carried (8/0). This item goes before the City Council on October 10, 2022.

4. OTHER BUSINESS

5. ADJOURN

The Planning Commission Meeting adjourned at 7:25 p.m.

Respectfully submitted, Sheri Yourczek, Recording Secretary.