

## PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 2, 2018 – 7:00 p.m.  
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present:     Brett Kramer  
                                      Armando Lissarrague  
                                      Annette Maggi  
                                      Elizabeth Niemioja  
                                      Joan Robertson  
                                      Tony Scales

Commissioners Absent:     Jonathan Weber (excused)  
                                      Dennis Wippermann (excused)  
                                      Pat Simon (excused)

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

### **APPROVAL OF MINUTES**

The minutes from the September 18, 2018 Planning Commission meeting were approved as submitted.

### **RONIE AVILES – CASE NO. 18-52C**

#### **Reading of Notice**

Commissioner Scales read the public hearing notice to consider the request for a conditional use permit to exceed the maximum impervious surface allowed, for the property located at 8811 Aviary Path. 43 notices were mailed.

#### **Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant's home was built in 2016 and shortly thereafter they installed a driveway around to the rear of their property, exceeding the maximum impervious surface on the property. The applicant was then told he needed a CUP to allow additional impervious surface, up to 10% of the lot area. The applicant has been working with the Engineering Department on stormwater and grading requirements. The applicant is proposing a rain garden in the southwest corner of the property, which is designed to treat the existing impervious surface over the allowed amount, plus an additional 100 square feet on the property for a future 10 x 10 shed or something comparable. The request meets the general CUP criteria; therefore, staff recommends approval of the request with the two conditions listed in the report. Staff heard from two neighboring property owners who had general questions.

Chair Maggi asked how the applicant became aware that he needed a CUP.

Ms. Botten replied that it was brought to staff's attention during the Certificate of Occupancy process.

Commissioner Robertson asked if the existing driveway extension would have required a permit.

Ms. Botten it would not.

**Opening of Public Hearing**

Ronie Aviles, owner of 8811 Aviary Path, advised he was available to answer any questions.

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

Mr. Aviles replied in the affirmative.

Chair Maggi closed the public hearing.

**Planning Commission Discussion**

Commissioner Niemioja stated she supported the request and believed the applicant was likely not aware of City rules when he installed the driveway extension.

**Planning Commission Recommendation**

Motion by Commissioner Niemioja, second by Commissioner Scales, to approve the request for a conditional use permit to exceed the maximum impervious surface allowed, for the property located at 8811 Aviary Path.

Motion carried (6/0). This item goes to the City Council on October 8, 2018.

**GRIES ARCHITECTURAL GROUP – CASE NO. 18-53C**

**Reading of Notice**

Commissioner Scales read the public hearing notice to consider the request for a conditional use permit to allow automobile and off highway vehicle sales, for the property located at 1350 – 50<sup>th</sup> Street. 7 notices were mailed.

**Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is proposing to repurpose the former Best Buy building into an automotive sales and service facility. The request is for a CUP to allow for the automobile and off highway vehicle sales. The major auto repair would be an accessory use to the car sales. No new additions or expansions are proposed at this time. The building exterior would be modified, along with an interior remodel. Staff recommends approval of the request with the 11 conditions listed in the report. Staff did not hear from any neighboring property owners.

**Opening of Public Hearing**

Jeff Stearns, General Manager of Inver Grove Toyota, 2052 Boulder Road, Chanhassen, advised he was available to answer any questions.

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

Mr. Stearns replied in the affirmative.

Chair Maggi closed the public hearing.

**Planning Commission Discussion**

Commissioner Lissarrague stated this was a good opportunity for this building and location.

Chair Maggi agreed, stating it was great to see the building being reutilized.

**Planning Commission Recommendation**

Motion by Commissioner Scales, second by Commissioner Lissarrague, to approve for a conditional use permit to allow automobile and off highway vehicle sales, for the property located at 1350 – 50<sup>th</sup> Street.

Motion carried (6/0). This item goes to the City Council on October 8, 2018.

**CITY OF INVER GROVE HEIGHTS – CASE NO. 18-54ZA**

**Reading of Notice**

Commissioner Scales read the public hearing notice to consider the request for an ordinance amendment relating to changes to the Accessory Dwelling Unit Ordinance and accessory structure size. No notices were mailed.

**Presentation of Request**

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that in 2015 Council adopted an ordinance that allows accessory dwelling units within existing single-family homes or within detached accessory structures subject to conditions and performance standards. The ordinance recites the accessory structure to lot size standards but does not include all the variations. The ordinance does not address ADU's in accessory structures over 1,600 square feet; staff believes this to be an error. To resolve this issue, staff recommends amending the ADU ordinance by striking Condition 5.

Chair Maggi asked for clarification that language regarding the size of a larger structure was included elsewhere in the zoning code.

Mr. Hunting replied in the affirmative.

Commissioner Lissarrague asked if ADU's could be rented out separately or were just for family members.

Mr. Hunting replied that it could be either; however, there were fewer building code restrictions for family members.

**Opening of Public Hearing**

There was no public testimony.

Chair Maggi closed the public hearing.

**Planning Commission Discussion**

Chair Maggi supported the request, stating it seemed to be more of a housekeeping issue.

**Planning Commission Recommendation**

Motion by Commissioner Robertson, second by Commissioner Kramer, to approve an ordinance amendment relating to changes to the Accessory Dwelling Unit Ordinance and accessory structure size by removing Condition 5 from the ordinance.

Motion carried (6/0). This item goes to the City Council on October 8, 2018.

## **OTHER BUSINESS**

### **Comprehensive Plan Update**

Mr. Hunting advised that an open house will be held on November 7 from 5:45-6:45 p.m. to discuss the 2040 Comprehensive Plan Update. Following that, the Planning Commission will hold a public hearing at 7:00 p.m. The consultant will be present at both events. City Council will discuss the update at their December 3 work session and will consider its adoption at the December 10 Council meeting.

Mr. Hunting noted that the November 7 Planning Commission meeting will be held on a Wednesday since Tuesday, November 6 is Election Day.

Commissioner Niemioja asked for clarification that both the presentation and request for approval would be held on November 7.

Mr. Hunting replied in the affirmative.

Commissioner Niemioja asked if she could get a copy of the Comprehensive Plan Update beforehand.

Mr. Hunting advised that a draft document could be found on the City's website.

Chair Maggi asked if the website included an explanation of the key changes.

Mr. Hunting replied that the main item the consultant would be discussing on November 7 was the key changes.

Respectfully submitted,

Kim Fox  
Recording Secretary