

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, February 18, 2020 – 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: Pat Simon
Tony Scales
Joan Robertson
Jonathan Weber
Elizabeth Niemioja
Armando Lissarrague
Annette Maggi
Dennis Wippermann

Commissioners Absent: Brett Kramer (excused)

Others Present: Allan Hunting, City Planner
Heather Botten, Associate Planner
Tom Kaldunski, City Engineer

APPROVAL OF MINUTES

The minutes from the January 21, 2020 Planning Commission meeting were approved as submitted.

SOURCE LAND CAPITAL – CASE NO. 20-02PUD

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. The Planning Commission is being asked to review the final plat and final PUD development plan for Settlers Ridge North (formerly called Windsor Ridge). The 66-lot project will be done in two phases. Phase 1 consists of 25 lots and the outlots for stormwater purposes. The final plan is consistent with the preliminary plat and construction is expected to begin this spring.

Tom Kaldunski, City Engineer, gave an overview of the stormwater design. Additional stormwater management improvements were made to help infiltrate more ground and redistribute the discharge from the site. The entire site will be graded as part of Phase I. The applicants have added a stormwater system, some of the infiltration systems have been reconfigured in the southwest area after receiving better soil data, and the overflow and stormwater distribution systems were further refined.

Commissioner Niemioja asked who would be responsible for maintaining the rain gardens/basins.

Mr. Kaldunski replied that the City was responsible for the regional basins shown in green and the ones shown in salmon were the homeowners association's (HOA) responsibility.

Commissioner Simon asked who in the City would be responsible for those.

Mr. Kaldunski replied it would be a combination of divisions within the Public Works Department.

Chair Maggi asked where the water would drain to.

Mr. Kaldunski replied that it would go through the 24-inch pipe. He noted that the basin was designed for infiltration of up to a 100-year event.

Chair Maggi asked if it would still run under Highway 3.

Mr. Kaldunski replied in the affirmative, stating a portion of MNDOT's right-of-way would always drain through the 24-inch pipe. MNDOT has had a culvert there since 1936 and it was just replaced as part of the street project.

Commissioner Simon asked if that was the same area Mr. Nichols had concerns about.

Mr. Kaldunski replied in the affirmative. He noted that the original proposal was designed to handle a 5-year rainfall, but it has since been redesigned to handle a 100-year rainfall, which was what Mr. Nichols was hoping for.

Commissioner Simon asked for clarification of the height of the proposed drainpipe in the regional basin.

Mr. Kaldunski replied that it was the lowest pipe in this regional basin which gives them the ability to drain the pond if necessary.

Commissioner Simon asked where the water would drain to.

Mr. Kaldunski replied that generally the infiltration basin would remain relatively dry, but if they opened it up it would drain into the 24-inch pipe that goes to Mr. Nichols' property. He advised that they are required; however, to notify MNDOT 48 hours in advance of such an action. The proposed irrigation system that the HOA is responsible for will pump water into underground irrigation pipes and in the case of a 100-year event the pump will automatically turn on and start sprinkling the steep slopes. This adds a redundancy to the stormwater management requirements. Similar facilities exist in Blackstone Ponds and Argenta Hills 8th/9th.

Commissioner Robertson asked if the irrigation system was intended to be used regularly, not just during a 100-year event.

Mr. Kaldunski replied in the affirmative. Whenever water gets to a set elevation it begins pumping.

Chair Maggi was concerned that the HOA may not have a commitment to maintain the stormwater management systems as their property would not be impacted by improperly working systems.

Mr. Kaldunski advised that the development agreement states that if the HOA does not maintain the facilities properly the City will do the work and invoice the HOA for the cost. He advised that the project exceeds the Northwest Area standards and he would recommend approval.

Commissioner Robertson commended staff and outside engineers for addressing the neighbors' concerns.

Chair Maggi asked where the proposed 30-foot retaining wall running parallel to South Robert Trail would be built.

Mr. Bender showed where the two-tiered wall would be located and advised that the two tiers together would be approximately 16-17 feet tall.

Commissioner Weber asked the height of the proposed wall to the south.

Mr. Bender replied approximately 7-8 feet.

Commissioner Robertson asked for clarification that the shaded gray area was a different phase that was not being dealt with at this time.

Mr. Kaldunski replied that the gray area was Phase 2; however, the grading for Phase 2 was included in the first phase.

Commissioner Simon asked if the comments in Mr. Kaldunski's report regarding manual operation, a misaligned existing pipe, and missing details regarding two rain gardens were covered on the maps listed in the conditions.

Mr. Kaldunski replied in the affirmative.

Commissioner Simon stated there appeared to be one missing page of the overall final landscape plan.

Chair Maggi noted that the outside engineer's report and Mr. Kaldunski's report were both dated 2-14-2020; the planning commission also received their packets that same day. She questioned whether Mr. Kaldunski's comments were written in follow up to the 2-14-2020 outside engineering report or did the report come in after his comments. She stated there were several things in the outside engineering report that do not seem to be addressed in the information Commissioners received.

Mr. Kaldunski advised that staff is currently reviewing the final plans. He suggested that the outside engineer from EOR address the comments Chair Maggi was referring to and advised that anything referenced in his 2-14-2020 report was addressed in the conditions.

Commissioner Robertson asked for clarification that the final construction plans were yet to be reviewed but anything related to stormwater management was already in the listed conditions.

Mr. Kaldunski stated his understanding is that everything is outlined in the conditions and their goal is to have the final plans reviewed prior to going to City Council.

Chair Maggi asked if Mr. Nichols' property was included in the stormwater assessment as the City would not want any negative impact to neighboring parcels.

Mr. Kaldunski advised that the Nichols issue was related to the Highway 3 project in which some sediment got released. A special fitting has been added in the 24-inch pipe to prevent that from occurring again.

Chair Maggi asked if drainage still ran to that area.

Mr. Kaldunski replied that a portion of the Highway 3 right-of-way would continue to go there.

Commissioner Robertson noted that that would be MNDOT's responsibility.

Opening of Public Hearing

Pat Hiller, Source Land Capital, advised he was available to answer any questions. The berm is being proposed to address Mr. Nichols' concern and will ensure the water is held on site and does not impact Mr. Nichols' property. They have gone through many iterations which have resulted in a plan that addresses all the stormwater concerns but still makes the project economically feasible.

Commissioner Lissarrague asked Mr. Hiller if he had met with Mr. Nichols recently.

Mr. Hiller replied not since the City Council meeting.

Chair Maggi asked the outside engineer to address the issue of the impact on the neighboring property.

Paula Kalinosky, EOR, stated that to address the runoff from the site that drains to Mr. Nichols' property in its current condition, they will be containing up to a 100-year storm event within the revised basin and will be able to draw it down through either infiltration and/or irrigation. Having looked at the modeling that was provided by the developers engineer, and through discussions with the City Engineer, EOR believes they can contain that 100-year storm and will not be sending additional water to Mr. Nichols' property. At this point they just want to make sure that all the revisions that they have proposed are transferred onto the construction plans.

Chair Maggi asked for clarification regarding several notations in the report where it was indicated things were not necessarily fully approved.

Ms. Kalinosky ran through the various notations, stating they were mostly just to make sure all the revisions they have proposed were transferred onto the construction plans or had to do with needing verification once construction started.

Commissioner Weber asked for clarification on the proposed berm wall as he was concerned about water running down the slope and ponding on the exception property.

John Bender, Westwood Engineering, explained that the highest point was actually at the western edge of the exception property and it then sloped down to Settlers Ridge North rather than up. He also described in detail the proposed stormwater flow.

Commissioner Weber asked for clarification that the exception property would not be negatively impacted by the rain garden to the north.

Mr. Bender explained the contours and how the water would flow into the infiltration basin.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Wippermann asked for confirmation that there would be a 15-foot separation between houses and questioned what minimum lot size and widths were being proposed.

Mr. Hunting replied that the lot dimensions were listed on the plat, but he believed they ranged in width from 60-70 feet.

Ms. Botten noted that as an example Lot 13, Block 2 was 8,503 square feet in size.

Commissioner Weber asked how wide Lot 10 was.

Ms. Botten replied that it was 70 feet at the house setback.

Commissioner Scales supported the request and commended the City on addressing all the concerns voiced at the preliminary plat. He still had concerns over the MNDOT area but understood that was the State's purview.

Commissioner Weber commended everyone on the effort put into this project but questioned why the neighbors were not notified.

Mr. Hunting replied that neighbor notification was not required for final plats. He noted that Mr. Nichols was aware of the changes made regarding stormwater management.

Commissioner Weber stated he would have liked to see the neighbors notified since there were so many major improvements and changes, but he supported the request.

Commissioner Niemioja was a little concerned about some of the comments made regarding waiting for clarification, but she commended those involved on the improvements made to the plan in an effort to avoid negatively impacting the neighboring properties.

Chair Maggi asked for confirmation from staff that they felt confident that the conditions listed in the report addressed all the comments made by the outside engineering firm.

Mr. Hunting stated there is a condition that addresses that issue which states that the City Engineer must approve the plans; Mr. Kaldunski stated tonight that he is comfortable with it.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Scales, to approve the request for a final plat and final PUD development plan for Settlers Ridge North, Phase 1, located in the northwest corner of 65th Street and South Robert Trail, with the conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on February 24, 2020.

CITY OF INVER GROVE HEIGHTS – CASE NO. 20-05ZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an ordinance amendment to Title 10 Chapter 15 of the City Code (Zoning Regulations) to allow sheet or corrugated metal or shaped metal as an allowed exterior building material for accessory buildings without the need for a conditional use permit in the A and E-1 zoning districts. No notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that staff suggested a review of the exterior building material requirements to allow sheet, corrugated, and shaped metal as a permitted type of material on accessory buildings in the Agricultural and E-1, Estate zoning districts. Currently our code states that these types of metal siding are prohibited in all residential zoning districts except by conditional use permit (CUP) in the Agricultural and E-1 zoning districts. The CUP process requires neighbor notification, review by the Planning Commission and City Council, and is a 6-8-week process. The zoning code has special requirements that pertain specifically to the CUP request for sheet metal and states they must have a metal thickness of at least 29 gauge and come with a 20-year manufactured warranty. Those requirements have now become an industry standard. Staff reviewed the land use

applications over the last 10 years and found there were nine CUP requests for the shaped or corrugated metal siding for detached accessory structures. All nine were approved with no extra conditions being added besides the ones for 29 gauge and 20-year warranty. Staff believes that modifying the ordinance to allow the sheet, corrugated, or shaped metal as a permitted material in the A and E-1 districts to be acceptable, would streamline the process, and would not have an impact to the Agricultural or E-1, Estate zoning districts. Staff recommends approval of the ordinance amendment.

Commissioner Scales asked if there was any discussion around building or lot size during that work session.

Ms. Botten replied there was not; that would remain the same.

Commissioner Weber asked if there was any discussion regarding color.

Ms. Botten replied there was not as currently the City does not regulate color.

Commissioner Simon asked if a building permit was required when changing the siding to sheet metal on an existing building.

Ms. Botten replied in the affirmative.

Commissioner Robertson asked what the minimum setback was from a neighboring property.

Ms. Botten advised that the size of the accessory structure is based on the lot size. Structures over 1,000 gross square feet would have a 50-foot setback and buildings less than 1,000 square feet would have a 25-foot setback.

Commissioner Robertson asked if any neighbors spoke negatively about the nine previous CUP requests for sheet metal siding.

Ms. Botten replied that she could only recall one request in which the HOA had a special provision that prohibited it.

Commissioner Lissarrague commended the City on suggesting this change.

Commissioner Wippermann asked if additional conditions were put on the nine previous CUP's.

Ms. Botten replied they were not, just the conditions regarding gauge and warranty.

Commissioner Wippermann asked if they would still have to meet those guidelines since they were in the ordinance itself.

Ms. Botten replied in the affirmative.

Opening of Public Hearing

There was no public testimony.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Simon, to approve the request for an ordinance amendment to Title 10 Chapter 15 of the City Code (Zoning Regulations) to allow sheet or corrugated metal or shaped metal as an allowed exterior building material for accessory buildings without the need for a conditional use permit in the A and E-1 zoning districts.

Motion carried (8/0). This item goes to the City Council on March 9, 2020.

The meeting was unanimously adjourned at 8:00 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary