

## PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, July 21, 2020 – 7:00 p.m.  
\*\*REMOTE MEETING\*\*

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

Commissioners Present: Joan Robertson  
Elizabeth Niemioja  
Annette Maggi  
Brett Kramer  
Dennis Wippermann  
Pat Simon  
Kate Challeen  
Scott Clancy  
Jonathan Weber

Commissioners Absent:

Others Present: Allan Hunting, City Planner  
Heather Botten, Associate Planner  
Heather Rand, Community Development Director

### **MIRANDA CARLSON – CASE NO. 20-20C**

#### **Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit (CUP) to operate a beauty salon as a home occupation, for the property located at 8135 Claymore Avenue. 37 notices were mailed.

#### **Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to operate a one-chair beauty salon in a portion of the lower level of her house. A beauty/barber shop is a conditional use in the R-1C residential district. The beauty shop must be operated within the home itself, evidence of the home occupation must not be visible from the street, hair care product sales are only to be sold incidentally to customers who are on the site for hair care appointments, demand for parking shall not exceed three parking spaces for the occupant and customers, and the home occupation shall be conducted solely by the principal occupant of the house. Staff believes that the applicant has met the home occupation criteria and general CUP criteria, and that traffic will not be an issue due to the limited nature of the business. Staff recommends approval of the request with the seven conditions listed in the report. Staff heard from five neighbors, including four emails that were provided to the Planning Commission prior to the meeting. Two neighbors supported the request, two neighbors were opposed to the request, and one had general questions.

#### **Opening of Public Hearing**

Miranda Carlson, 8135 Claymore Avenue, advised she was available to answer any questions.

Chair Maggi asked the applicant if she read and understood the staff report.

Ms. Carlson replied in the affirmative. She advised that she only works with one customer at a time and a portion of her business would still be off-site at a different salon location. Only her regular long-time clients would come to her home.

Commissioner Clancy asked how late the business would be open in the evening.

Ms. Carlson replied that the latest she would want a client in her chair would be 7:30 PM.

Commissioner Challeen asked how many clients the applicant might get on a high-volume day.

Ms. Carlson replied four people.

Commissioner Robertson asked the applicant if she anticipated ever having more than two clients at a time in her salon: one in her chair and one waiting.

Ms. Carlson replied she would not. Her routine is to work on one client until they are done, allow time for cleaning and sterilizing the space, and then take the next customer.

Commissioner Robertson asked if the next client would be sitting in a chair waiting.

Ms. Carlson replied that no one is allowed in the building until it is their appointment time. She would be allowing time between each appointment so there would not be a client waiting.

Chair Maggi closed the public hearing.

#### **Planning Commission Discussion**

Chair Maggi noted that beauty salons are an allowed use in this zoning district with a conditional use permit.

Commissioner Wippermann asked what the logic was behind the former State requirement that in-home beauty salons have a separate entrance to the outside of the home.

Ms. Botten replied her understanding was that the State at one point required a handicapped accessibility entrance to the outside; that is no longer a State requirement for in-home beauty salons.

Commissioner Wippermann noted that home occupations are not to be visible from the street; however, there may be a business sign posted in the yard which seems contradictory.

Ms. Botten replied that the requirement was directed more towards visible storage of equipment or materials, etc. In this case all equipment would be in the lower level of the applicant's house so it should not be an issue.

Commissioner Wippermann asked if there was a maximum amount of signage allowed.

Ms. Botten replied in the affirmative, stating the applicant would be allowed one sign up to 12 square feet in size. She advised that she has never issued a sign that large, however, in a residential district.

Commissioner Robertson asked for more clarification about the State no longer requiring a separate entrance.

Ms. Botten advised that the reason that staff added that condition 18 years ago was to comply with State requirements. The current State requirements no longer require the outside entrance.

Commissioner Niemioja asked for clarification that the City recently approved another home salon without a separate entrance.

Ms. Botten replied in the affirmative, stating a similar request was approved in 2019.

Commissioner Niemioja noted that in Ms. Botten's response to one of the neighbor emails she included the link to a survey about a possible amendment to the home occupation section of the code. She hoped anyone watching tonight's meeting would go to the website and participate in the survey.

Commissioner Robertson stated she reviewed the emails received from neighbors and believes that the ordinance requirements and conditions in place would alleviate the concerns mentioned in the emails.

### **Planning Commission Recommendation**

Motion by Commissioner Weber, second by Commissioner Simon, to approve the request for a conditional use permit (CUP) to operate a beauty salon as a home occupation, for the property located at 8135 Claymore Avenue, with the conditions listed in the report.

Motion carried (8/0). This item goes to City Council on August 10, 2020.

### **OTHER BUSINESS**

#### **City of Inver Grove Heights – Case No. 20-21X**

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the City and Mr. Rechtzigel have been in discussions to swap land in order to provide more buildable area for Mr. Rechtzigel and to provide a larger preserved area for a regional basin for the City. The land purchase/sale would be consistent with the goals of regional basin stormwater management plans in the Comprehensive Plan. Even though this is essentially a swap of equal land, the Planning Commission is to make a recommendation on whether the capital expenditure is consistent with the comprehensive plan. Staff recommends that the land purchase be found consistent with the comprehensive plan.

Commissioner Simon asked if the legal descriptions would be registered with the County should the land swap be approved and, if so, who would be responsible for that.

Mr. Hunting replied that the legal descriptions would be changed, but he was not sure whose responsibility it would be to record them.

Commissioner Challeen asked if money would change hands in a land swap.

Mr. Hunting replied that no real money would change hands. Rather, the swap of equal square footage would be done through purchase agreements.

Motion by Commissioner Wippermann, second by Commissioner Weber, to recommend that the proposed land swap and project is consistent with the comprehensive plan.

Motion carried (9/0)

#### **Northwest Expansion AUAR Update**

Heather Botten, Associate Planner, advised that the original Northwest Expansion Alternative Urban Areawide Review (AUAR) was completed in 2005, with updates occurring in 2007 and 2014. Because the City's NWA is not completely developed, and it's been over 5 years since the last

update, the City is required to do another update. The City hired consulting firm Kimley-Horn to complete the update. The AUAR Update incorporates information from the 2040 comprehensive plan, along with any development updates that have occurred over the last five years. The AUAR is an inventory of the NWA's environmental and cultural resources, analyzes the environmental impacts of sanitary sewer and water extension, and provides mitigation strategies for remediating those environmental impacts. Included in the packet are letters that were received and how they were addressed. The AUAR update was sent to 16 different agencies for comment.

Commissioner Niemioja thanked staff for this informative document.

Commissioner Wippermann asked why on Table 7-1 Industrial and related Office was either not listed or was now measured in square footage rather than acres.

Ms. Botten believed the consultant thought it best to be consistent and list everything in square footage versus acreage.

Commissioner Simon questioned why her well location was listed as unknown on Page 38 even though she has sent her well location and associated information to both the County and the City several times, most recently to City Engineer Tom Kaldunski.

Ms. Botten apologized, stating that wells are tracked at the County level. She suggested that Commissioner Simon send her the information, otherwise she would follow up with Tom Kaldunski.

Chair Maggi asked if this update was for informational purposes with no action was needed.

Ms. Botten replied in the affirmative.

Ms. Botten noted that the August 4 Planning Commission meeting has been cancelled. The August 18 meeting will be held remotely via Zoom.

The meeting was unanimously adjourned at 7:33 p.m.

Respectfully submitted,

Kim Fox  
Recording Secretary