

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, January 19, 2021 - 7:00 p.m.
REMOTE MEETING

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

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

Commissioners Absent: Jonathan Weber (excused)

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

APPROVAL OF MINUTES

The minutes from the January 5, 2021 Planning Commission meeting were approved as submitted.

SKIGH DEVELOPMENT - CASE NO. 21-02PA

Chair Maggi advised that the applicant has withdrawn this request for a comprehensive plan amendment.

GARETT STAINBROOK (CHS) - CASE NO. 21-01V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a monument sign to exceed the 50 square foot maximum on a B-1 zoned property, and any other variances related thereto, for the property located at 5300 Babcock Trail. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the 30-plus acre subject property is in the southwest corner of Highway 52 and I-494 and is zoned B-1, Limited Business. The applicant is requesting two variances: one for a wall sign to be 54 square feet in size and the other to allow a 192 square foot monument sign whereas 50 square feet is the maximum allowed. The applicant has stated that the intent of the larger signs is to help the public identify the building's location while driving on the highway. This property is unique in that it is the only B-1 zoned property in the City that is located along two major highways and the B-1 district does not allow for larger signs on a property based on highway frontage or building size. The buildings on the east side of Highway 52 are allowed a freestanding sign up to 240 square feet and wall signs up to 100 square feet. Staff does not believe the proposed signs would affect the character of the locality and recommends approval of the request with the one condition listed in the staff report. Staff did not hear from any of the surrounding property owners.

Commissioner Simon asked if this could set a precedent.

Ms. Botten replied that staff does not believe it would set a precedent because it is the only B-1 property in the City that has highway frontage along two sides of it.

Commissioner Simon asked for clarification regarding the properties in the business section of Arbor Pointe along Highway 52/55 and Concord Boulevard.

Ms. Botten replied those properties had different standards as they were zoned PUD, not B-1.

Opening of Public Hearing

Ms. Botten noted that the applicant was not present.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi stated that she supported the practical difficulty of the property abutting major highways on two sides and the need for visibility.

Planning Commission Recommendation

Motion by Commissioner Niemioja, second by Commissioner Wippermann, to approve the request for a variance to allow a monument sign to exceed the 50 square foot maximum and to allow a wall sign to be 54 square feet in size in the B-1, Limited Business district, for the property located at 5300 Babcock Trail, with the practical difficulty as listed in the report as well as the need for the signs to be sizable because of the topography and existing vegetation.

Motion carried (8/0). This item goes to the City Council on January 25, 2021.

SANDRA PEREZ - CASE NO. 20-55C AND 20-54C

Chair Maggi suggested presenting the two requests for Perez at the same time but voting on them separately.

Ms. Botten advised that Ms. Perez was not currently logged into the zoom meeting and noted that the Planning Commission had the option of tabling the request if they had any questions that could not be answered.

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to operate a 24-hour childcare facility, for the property located at 2855 - 47th Street. 71 notices were mailed.

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to operate a 24-hour childcare facility, for the property located at 5300 South Robert Trail. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is asking for a conditional use permit to operate a 24-hour childcare facility at two different locations in the City. The first location is in the classrooms of Bethesda Church which is in the Institutional zoning district. A childcare facility is a conditional use in the Institutional district. The applicant currently operates a daycare at the site and is looking to expand the operating hours to allow for extended-overnight care. The second location is in Salem Square shopping center which is zoned B-3, General Business. A childcare facility is a conditional use in the B-3 district as well. A license from the State and occupancy permits from the City are required as well. These permits would include review by the chief building official and fire marshal. The applicant is anticipating the Bethesda Church center would close at 1:00 AM but would like the flexibility of being open 24 hours if there is a demand for longer hours. The center would be open Monday-Saturday as the Church uses the space on Sundays. No changes to the church facility are being proposed and they do not anticipate any traffic or parking issues. The new site at 5300 South Robert Trail would be operated seven days a week/24 hours a day. There is no loading space or drop off area at this location so parents would be required to park their cars in a parking space and come inside to drop off or pick up their children. Typically this would be a short visit and staff does not anticipate any traffic or parking problems for this site either. Staff recommends approval of both conditional use permit requests with the conditions listed in the staff report.

Commissioner Simon asked who regulates the number of children allowed per caretaker, noting that the applicant stated they were looking to increase the number of children they could provide for.

Ms. Botten replied that the State monitors that and provides the number of children they will allow. Whenever the State changes that they notify the City. The City then has 30 days to respond if they have any issues with the change of occupancy.

Commissioner Robertson asked If the applicant would own or lease the space in Salem Square shopping center.

Ms. Botten replied that she would be leasing the space.

Commissioner Robertson asked if the adjoining tenants or the owner/operator of Salem Square shopping center could put additional expectations on the applicant or have input into how she operates her business.

Ms. Botten replied that the owner/operator could best answer that question.

Chair Maggi asked Commissioner Robertson to clarify her question as it relates to the request.

Commissioner Robertson replied she was trying to understand if there were other things the City needed to know prior to approving this request.

Commissioner Kramer noted that a couple of the conditions of approval for the Bethesda Church location state that daycare operations may not commence until receiving proper approval; however, the daycare is currently operating. He asked if this would hold up any of the existing operations for the daycare center.

Ms. Botten replied it would not and advised that she would change those conditions to clarify that 'after care-operations' may not commence until receiving proper approval.

Commissioner Challeen asked if staff foresaw any issues regarding the lack of available outdoor space for the Salem Square location.

Ms. Botten replied that requiring an outdoor space was not called out to be a special condition for this type of CUP. Each parent that brings a child there would understand that they do not have outdoor space available.

Commissioner Challeen asked if it would be a licensing requirement.

Ms. Botten replied that if it were required it would be dealt with through the licensing agency. The applicant advised that, if necessary, they would either go for a walk or bus the children to a nearby park.

Opening of Public Hearing

Ms. Botten advised that the applicant, Sandra Perez, was not on this zoom meeting.

Roz Peterson, D & T Properties, advised that she was co-owner of Salem Square shopping center and the leasing agent for the property, and was available to answer any questions.

Commissioner Robertson asked if the owner/operator of Salem Square shopping center could impose restrictions on the proposed daycare center and has this been approved by the other tenants.

Ms. Peterson replied that this lease is somewhat complicated because the space is leased to Berean Church. Berean Church chose not to open and sublet the space to Ms. Perez. She stated the other tenants do not really have a say in how this business is operated, but she believes they are looking forward to having more activity. Because she was not directly involved with the negotiation between Berean Church and the applicant, she does not have the answers.

Chair Maggi asked if the applicant had joined the zoom meeting.

Matt Sletten, BWBR Architects, advised he was late to the meeting because of technical difficulties but could answer any questions related to the variance request for signage at CHS.

Chair Maggi advised that had already been discussed, was approved, and will go to the City Council on January 25, 2021.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Niemioja stated she supported both CUP requests and was not going to speculate on any potential licensing issues.

Planning Commission Recommendation

Motion by Commissioner Niemioja, second by Challeen, to approve the request for a conditional use permit to operate a 24-hour childcare facility, for the property located at 2855 - 47th Street, with the six conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on January 25, 2021.

Motion by Commissioner Niemioja, second by Commissioner Robertson, to approve the request for a conditional use permit to operate a 24-hour childcare facility, for the property located at 5300 South Robert Trail. with the five conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on January 25, 2021.

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

Respectfully submitted,

Kim Fox
Recording Secretary