

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, September 21, 2021 - 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
Robert Heidenreich
Dennis Wippermann
Pat Simon
Joan Robertson
Anthony Scales
Kate Challeen
Scott Clancy

Commissioner's Absent: Jonathan Weber (excused)

Staff Present: Allan Hunting, City Planner
Heather Botten, Associate Planner
Kim Fox, Community Development Specialist

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR AUGUST 4, 2021 AND AUGUST 17, 2021

The Planning Commission Meeting Minutes for August 4, 2021 and August 17, 2021 were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

TEXAS REPUBLIC SIGNS - CASE NO. 21-52V

Reading of Public Notice

Commissioner Simon read the public hearing notice to consider the request for Texas Republic Signs - Case Number 21-52V. The request involves property located at 11650 Courthouse Boulevard. The request consists of a variance from the maximum size and height of a free-standing sign and any other variances related. Notices were mailed to 7 property owners on September 8th, 2021.

Presentation of Request

Allan Hunting, City Planner, discussed the Pilot Travel Center located on the east side of Highway 52/55 north of 117th Street. The Applicant is proposing to construct a new pylon sign to increase their visibility primarily for northbound traffic since the site caters to semi-trucks. Those trucks need time to see the sign and be able to exit with the proper reaction time. The site currently has two pylon signs identified in the diagram as "A and B". The proposed sign would be located next to "A", with "A" being removed. If the variance is approved as proposed, the Applicant would offer to remove the "B" pylon sign. The proposal is for a sign 75 feet tall and 309 square feet in size. The maximum height for this location in I-1 is to be no higher than 10 feet higher than building height. The building height is 28 feet, maximum height would be 38 feet. The maximum size for a free-standing sign is 100 square feet, the Applicant proposes 300. The site has a bigger history of signage/sign permits over the years due to name changes. Inventory found from the early 90's identified there had been a pylon sign up to 240 square feet. There was not a history or record of any variances. He stated the Applicant must have been removing and replacing signage as it went

along. The two current signs are both larger than allowed. One is taller than allowed. He said with the request, Staff likes to take a conservative approach with thoughts of a precedence. Staff believes 75 feet would be the tallest in the city. With the size of 300, there could be one or two signs that might have been approved, are still around, or no longer in existence.

Mr. Hunting stated Staff reviewed the request and drove out to the site to get an idea of visibility. Staff believes the Pilot sign to be most important heading northbound over the overpass. When that intersection was reconstructed, taking out the stoplight and building the overpass road, it clearly impacted visibility to this location when heading northbound. Staff believes if taking Pilot as the most important sign and lowering it so the Subway and gas pricing signage would be lower and hitting about 62-63 feet, they would still have visibility. For sign size, Staff believes 300 to be large, not a common size in the city. Since there has been a history of signage of at least 240 feet, Staff felt that would be one to follow and consistent with what has occurred in this location over the years. Staff recognizes that the overpass has an impact on visibility and believes a variance is warranted, but not at the size and height proposed. Staff recommends denial of the Application as presented but would support a variance of 62-63 feet high and 240 square feet due to that being at the location previously. He stated it was important for truckers to see the gas pricing sign and that there is a restaurant at the location.

Commissioner Wippermann stated the building to the east of this is a distribution center. On the south wall there is a Pilot sign on top. He asked if that enters into any considerations.

Mr. Hunting responded that was approved with another variance. He believed it was there for additional visibility. The Applicant is trying to add more information and sign visibility than what was approved and put on the distribution center.

Commissioner Robertson stated a few years ago a variance was granted to A&W due to difficult visibility. She asked what was approved.

Mr. Hunting responded he believed it was a 40-foot sign, less than 200 square feet in area. The biggest sign he can recall from the mid-90's was for Best Buy that had a 60-foot tall pilon with a sign surface of 300 square feet. The store/sign are no longer there.

Opening of Public Hearing

Michael Everett, Texas Republic Signs, 2211 Pech Road, Houston, Texas, stated he has read and understands the report. He said he has Mr. Ross Shaver on the phone from Pilot Travel Centers.

Ross Shaver, 5508 Lonas Drive, Knoxville, Tennessee, 37909, introduced himself via phone and apologized for not being in attendance due to Covid travel restrictions. He said they have reviewed the Staff report. He stated he agrees that a variance should be approved and that there is a hardship due to the overpass. He was aware that Mr. Hunting said there be emphasis on the Pilot sign. He requested there be equal emphasis on all three signs because of the price being important to truck drivers. He said Covid has changed the trucking industry. There is so much turnover in the trucking industry, Pilot used to have a majority of their trucking companies under Contract. Trucks would have to come and fill for gas at a Pilot or Flying J. Due to Covid and truck driver turnover, the companies have stopped the Contracts with Pilot/Flying J and told their drivers that they can fill up everywhere. Drivers are paying more attention to the price so they get the cheapest fuel possible. Drivers are not just pricing in a local area; they are pricing regionally or State by State. He said it was super important they communicate what the price is and the restaurant concept to the driver. He stated they have 700 locations around North America and are the #1 Travel Center Company. They know with history, the driver understanding the price of fuel and the restaurant associated with it, is what is most important. The reason they have the sign height chosen is because they did a flagging study that clearly shows 75 feet is needed for all three signs. The signs are extremely expensive, they cost about \$2,000 per lineal height per foot a sign.

They don't want to put up more signage or use more height than what is required due to expense, but know they need this from a business standpoint and the return on the investment is worth it.

Commissioner Simon asked if there was a reason, they would go for a sign like this rather than using a billboard further down the road saying the exit number for gas. She said she realizes unless it's a digital sign, they won't be able to have Pilot, the restaurant, and the price of gas on the billboard.

Mr. Shaver responded they try to utilize billboards wherever they can but there are restrictions. Most are on leases. Once the lease is up, they are not guaranteed the signage. He said it is their protocol to make sure they have the appropriate signage on site. They try to do billboards as well but the first priority is the high sign marking their site. He said they understand as a company there is also a digital age. There is a percentage of people that use each category on a high-rise sign with visibility. He said they believe because of Covid that percentage of people has grown because of the way the trucking industry has changed.

Chair Niemioja stated she drives this section of highway frequently. She said she felt it hits fast when that exit is needed. She understands that trucks need to get in the correct exit lane. When she traveled the highway, it was hard for her to gauge. She commented if there was growth, or plants, or a tree at the exit, she asked how many feet of clearance they have from the bridge.

Mr. Shaver responded anytime they do a variance they try to find middle ground. They recognize the city is trying to uphold a Sign Ordinance. At the same time, the company is trying to overcome a hardship. One of the problems they usually encounter would be vehicles parked on the overpass. As future development occurs and there is more traffic, vehicles park on the overpass and can park "over" the lower signage. They don't try to go to the bottom of the sign because they know in the future it could be blocked.

Chair Niemioja referenced one of the photos the Applicant provided that showed a bus on the overpass. If the bus had actually been in front of the sign at his proposal, it could possibly cut off the Subway sign. The Pilot sign would be visible.

Mr. Shaver responded they are trying to find the middle balance. They don't want to ask for too much and have no opportunity to have an appropriate variance, and they don't want to ask for too little.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

Commissioner Clancy stated in his opinion, given the practical difficulty of having the unique situation of having 117th Street blocking the clear view, it gives him clear direction to say he feels comfortable accepting everything proposed for the benefit of the business owner, based off of the unique opportunity. He said if someone were to propose something in the future that did not have this unique circumstance, he would feel comfortable explaining why he wouldn't vote yes. He said he would be willing to move forward with the height suggested and with the square footage as proposed by the Applicant given the further depth of view they now have.

Commissioner Scales stated he agrees with the analysis. He discussed the A&W sign stating that's the second try with A&W, he was unsure if it was because they were given a bigger sign, but they seem to be successful. He said he was willing to back the business owner in what they need for their business to be successful.

Commissioner Robertson stated she concurs with what Commissioner's Clancy and Scales have said. She drives that spot often, when she saw this proposal what struck her as valuable for

truckers is the safety element. They are driving massive machines; they are not able to make a late decision about where to exit. She said she felt it was extremely important to have any advance information trucks can readily see within a safe timeframe. She commented there are new truckers out there due to turnover, it's known it is a heavily trucked stretch of highway. Anything that can be done to provide the tools needed to keep everyone safe, she is fully onboard with. She believes the height, size, price of fuel, and that they can stop and get something to eat are all essential pieces of information. She supports as presented.

Chair Niemioja said it sounds like there were two practical difficulties:

1. Safety
2. 117th Street Bridge

Planning Commission Recommendation

Motion by Commissioner Robertson, second by Commissioner Clancy, to approve the request as presented for Texas Republic Signs - Case Number 21-52V involving property located at 11650 Courthouse Boulevard, for the variance for maximum size and height and any conditions related to it with the practical difficulty being the overpass that creates a hinderance to sight, and that anything less visible has a negative impact on safety.

Motion carried (8/0). This item will go before the City Council on September 27, 2021.

RACHEL DEVELOPMENT - CASE NO. 21-53C

Reading of Public Notice

Commissioner Simon read the public hearing notice to consider the request for Rachel Development, Case Number 21-53C. The request involves property located at 7855 Cahill Avenue. The request consists of a Conditional Use Permit for a 40-unit multifamily development and a Conditional Use Permit to exceed the maximum impervious surface in a Shoreland District and any other variances related. Notices were mailed to 9 property owners on September 8, 2021.

Presentation of Request

Heather Botten, Associate Planner, discussed the request for property located on the west side of Cahill Avenue, across from Cub Foods, north of 80th Street. The property is zoned R-3C Multiple Family. Earlier this year the Applicant received approval for rezoning and a Comprehensive Plan Amendment for this site with the intention of building an Assisted Living Facility. The property is 3.81 acres in size. The Applicant is proposing a 40-unit Assisted Living Memory Care Facility. The Multiple Family Assisted Living Facility is a Conditional Use in the R-3C District. The property is also located in the Shoreland Overlay District of Simley Lake which is south of the property. A Conditional Use Permit is being requested to exceed the maximum impervious surface within the Shoreland District. There would be one access point off of Cahill Avenue. The proposed building and parking lot meets and exceeds all of the required Permits or setbacks. Parking for the proposed use is for 37 parking stalls, compliant with Code requirements. The submitted Landscaping Plan and Reforestation Plan shows a mixture of overstory, coniferous, and ornamental trees along with numerous shrubs. The plan is short a few overstory and coniferous trees. The Applicant is working with City Staff to meet Code requirements. The Landscape Plan would be finalized prior to Council approval. The proposed one-story structure would be constructed of cultured stone, compliant with Code requirements.

She stated there would be 32% impervious surface on the site. Within the Shoreland District they are limited to 25%. With a Conditional Use Permit the Applicant can increase that provided the city has approved and implemented a Stormwater Management Plan for the site. Engineering and Barr Consulting Firm has been working with the Applicant on the design of the stormwater approvals. The approved plans would be consistent with the city's overall Stormwater Plan for the area.

Engineering has made conditions of approval. She stated the use is consistent with the goals and policies of the Comprehensive Plan. The site layout takes advantage of the buildable area on the lot to the east and retains vegetation to the west. The proposed use is a low traffic generator and a good transitional use from the single family lots to the north and commercial lot to the south. Staff doesn't believe the proposed improvements would have any negative effects on city facilities or services. Staff recommends approval of the request with the conditions listed in the Staff report. Staff has not heard from any of the surrounding property owners.

Opening of Public Hearing

David Stradtman, Rachel Development, 7645 Paris Court Northeast, Otsego, Minnesota, stated he has read and understands the report. He said it has been a pleasure working with Heather and the rest of Staff. He said they are currently working through the landscape plan and stormwater management. The Shoreland for Simley Lake drains to the west and north, nothing from the site is going to go to Simley Lake. They will be putting piping under the park trail so it doesn't flood the trail. They want to manage the water efficiently. He said he has been in the development business for quite a while and through the Comprehensive Plan, he actually developed the Cub store across the street. He stated they feel good about what they are providing to communities with this product. This is being done in many communities because there is a gap for people that need a little bit more care, or memory or dementia care. These facilities are smaller, comfortable, and homey. The rooms are individual private rooms about 400 square feet with their own bathroom and mini kitchen. There is commercial dining space within so all meals are prepared on site. There is a salon on site for hair care. There are lots of seating areas within the facility. He said they feel it is a good addition to communities to fill a niche taking care of the most vulnerable members of the community.

Mr. Stradtman presented a drone and video tour of a facility that just recently opened in Prior Lake. They have one that just opened in Savage and are building in Apple Valley, Champlin, and Centerville. He said the photos and renderings do not do the facility justice. It is a comfortable, warm, inviting facility. They are proud and excited to bring one to Inver Grove Heights.

Commissioner Wippermann asked who manages the facility.

Mr. Stradtman responded this facility will be managed by Lifespark. They are currently constructing a facility in Apple Valley that will also be managed by Lifespark. They also work with Great Lakes Management under the brand NorBella. He said this would be branded Boden, Boden Senior Living. The word Boden is a Scandinavian term meaning "shelter".

Commissioner Robertson asked if Staff has already been identified or if they would be hiring within this geographic area. She asked how they find the qualified staffing needed.

Mr. Stradtman responded Lifespark manages the facility and staffing needs, they would look for people to work in the facility. Geography will be a consideration for them. He said he felt there would be residents from Inver Grove Heights working at this facility. It may not exclusively be residents from this city. There are Paras, Caregivers, Nurses, and Doctors on call. Staff in a facility like this has 25 or so total that would flow through shifts. There are about 8 occupants per Staff member in a care facility. There is access to get a Doctor on site, manage medications, and do two person transfers. He stated these are not independent seniors, they need care. None would drive vehicles, which is why parking needs are minimal and are for Staff and visitors.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Scales, to approve the Conditional Use Permit for a 40-unit Assisted Living Facility located at 7855 Cahill Avenue, and a Conditional Use

Permit to exceed the 25% maximum impervious surface allowed within the Shoreland District with the 10 conditions listed in the report.

Motion carried (8/0). This item will go before the City Council on October 11, 2021.

4. OTHER BUSINESS

5. ADJOURN

The meeting was unanimously adjourned at 7:38 p.m.

Respectfully submitted, Sheri Yourczek, Recording Clerk