



CITY OF SPRING PARK
CITY COUNCIL AGENDA
JANUARY 7, 2019 – 7:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
 - a. Oaths of Office for Jerry Rockvam, Mayor; Pam Horton, Council; Gary Hughes, Council
2. PLEDGE OF ALLEGIANCE
3. ADOPT MEETING AGENDA
4. ADOPT CONSENT AGENDA*
 - a. Work Session Meeting Minutes from December 17, 2018
 - b. Regular City Council Meeting Minutes from December 17, 2018
 - c. Staff Wages for 2019
 - d. Resolution 19-01: Naming Official Depositories
 - e. Resolution 19-02: Establishing Order of Business
 - f. Resolution 19-03: City Appointments
 - g. Resolution 19-04: Dates of Meetings, Holidays, & Office Hours
 - h. Resolution 19-05: Pre-authorization of Certain Payments
 - i. Resolution 19-06: City Credit Card Authorized Users
5. PUBLIC FORUM**
6. PRESENTATIONS & GUEST SPEAKERS
7. PUBLIC HEARINGS
8. PETITIONS, REQUESTS, & APPLICATIONS
 - a. Variance Application for Head-In Parking on Warren Avenue (Resolution 19-07)
9. ORDINANCES & RESOLUTIONS
10. REPORTS OF OFFICERS AND COMMITTEES
 - a. Mayor & Council
 - b. City Staff
 - c. Contract Staff
11. NEW BUSINESS & COMMUNICATIONS
12. CLAIMS FOR PAYMENT
 - a. January 7, 2019 Claims
13. UPCOMING MEETINGS & TRAINING
 - a. January 9 – Planning Commission – 6:00 PM
 - b. January 9 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
 - c. January 15 – Administration Meeting – 12:00 PM
 - d. January 22 (Tuesday) – City Council Work Session – 6:00 PM
 - e. January 22 (Tuesday) – Regular City Council Meeting – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
15. ADJOURNMENT

*The Consent Agenda lists those items of business which are considered to be routine, recommended for approval, and/or which need no discussion. The several separate items listed on the Consent Agenda are acted upon by one motion. There will be no separate discussion of these items unless a Council Member makes a request, in which event the item will be removed from the Consent Agenda and placed elsewhere on the regular agenda for Council discussion and action.

** Under Public Forum individuals may address the City Council about any item not contained on the regular agenda. Each speaker should keep their statements to three minutes to allow sufficient time for others. The Council will take no official action on items discussed at the forum, with the exception of referral to staff for future report.



CITY OF SPRING PARK
 CITY COUNCIL MINUTES
 DECEMBER 17, 2018 – 7:00 PM
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:00 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Gary Hughes; Pamela Horton; Catherine Kane Palen; and Megan Pavot

Staff Present: Dan Tolsma, City Administrator; Bob Kirmis, Acting City Planner; and Mary Tietjen, City Attorney

2. PLEDGE OF ALLEGIANCE – Mayor Rockvam led the audience in the Pledge of Allegiance.

3. ADOPT MEETING AGENDA

M/Hughes, S/Horton to adopt the meeting agenda.

Motion carried 5-0.

4. ADOPT CONSENT AGENDA

- a. Regular City Council Meeting Minutes from December 3, 2018

M/Kane Palen, S/Pavot to adopt the Consent Agenda.

Motion carried 5-0.

5. PUBLIC FORUM – None.

6. PRESENTATIONS & GUEST SPEAKERS – None.

7. PUBLIC HEARINGS – None.

8. PETITIONS, REQUESTS, & APPLICATIONS – None.

9. ORDINANCES & RESOLUTIONS

- a. Resolution 18-26: Variance Request for Head-In Parking on Warren Avenue

Acting City Planner Kirmis reviewed Land Use Application No. 18-04 VAR requesting a parking variance to allow parking stalls having direct access from a public street for their industrial property located along 4164 Shoreline Drive. The application notes that the 28,000 square foot tenant bay in the Tonka Ventures West building has limited parking spaces. He detailed the current conditions of the area, traffic patterns, and proposed plan.

Phil Johnson, architect for the proposed Tonka Ventures project, was available for questions.

Mayor Rockvam stated the entire site appears to have adequate parking.

City Administrator Tolsma responded that the entire site has adequate parking; however, the tenant on the northwest corner of the building has limited parking in their direct proximity.

Acting City Planner Kirmis discussed the proposed recommendations for approval from staff and the Planning Commission including:

1. Site grading and drainage plan. The applicant must show the proposed parking lot grading and drainage patterns. The plan must identify the total hard cover area and percentage of hard cover for the entire industrial site. Plan must address the drainage patterns, retention, and treatment for the new hard surface. Said plan shall be subject to the review of the City Engineer.
2. Lighting Plan: The applicant shall provide a lighting and photometric plan for any new exterior lighting proposed for the new parking areas. Any new lighting must be 90 degree cutoff light fixtures with a shielded light source.
3. The compact parking stalls shall be signed "Compact Cars Only".
4. The Applicant shall provide a snow removal and storage plan for the new parking area and loading dock area.
5. Subject to the comments of other City Staff.

The City Council discussed the loss of greenspace, drainage plan, traffic sight lines including the area that is often impeded during the winter due to snow piles, and congestion near a major intersection.

Council Member Pavot stated her main concern was the additional compact car parking on Interlachen Road since it is so close to a busy intersection.

City Administrator Tolsma discussed the recent discussion at the Planning Commission meeting including the concern about having head-in parking on both sides of a busy street.

Mayor Rockvam stated he wanted additional time to consider the request so that he could do a site visit and observe the area. He added that he does realize the value of off-street parking for commercial businesses but wants to investigate further before making a decision.

Council Member Hughes states he is in support of the 12 spots on Warren Avenue but his main concern is safety and traffic in allowing additional head-in parking on Interlachen Road.

Shirley Bren, resident and former employee of a business located in the Tonka Ventures Building, stated she supports additional parking in the area for the safety of the employees who are forced to walk along Warren Avenue and Interlachen Road where there are no sidewalks or safety features in order to gain access to the northwest entrance of the building.

Mayor Rockvam stated he is in support of the 12 spaces on Warren Avenue.

Council Member Kane Palen also stated she is in support of the 12 spaces on Warren Avenue.

M/Hughes, S/Horton to table the item for a future meeting so that Council can conduct site visits and further investigate the impact of the requested application.

Motion carried 5-0.

b. Ordinance 18-05: Amending Fence Standards

Acting City Planner Kirmis provided a summary of the proposed fence ordinance amendment. He discussed the recent change in the State building code allowing fences up to seven feet without a building permit.

City Administrator Tolsma discussed the history of the ordinance and the reality of current fencing options that are widely available at local lumber and retail stores. He added that the Planning Commission recommendation was not entirely in agreement with staff's recommendation of a minimum of four inches of open clearance from the ground to control water. The Planning Commission recommendation was for a minimum clearance of one inch to allow the passage of water but still be able contain small animals.

M/Hughes, S/Pavot to approve Ordinance No. 18-05 as recommended by the Planning Commission, amending Spring Park City Code Section 42-64 related to fence regulations within the City of Spring Park, that it be published in the official newspaper, and that it be made part of these minutes.

Motion carried 5-0.

10. REPORTS OF OFFICERS AND COMMITTEES

a. Mayor & Council

Mayor Rockvam asked staff to send recognition letters to Minnetonka Edgewater Apartments, Lake Minnetonka Shores, Dock & Lift and Lord Fletcher's Old Lake Lodge for the nice decorations they installed that enhanced the City's appearance during the holiday season.

Council Member Hughes provided informational brochures to the Council from Mound Fire Department about carbon monoxide detectors. These brochures are now available in the lobby at Spring Park City Hall.

Council Member Hughes announced that Mound Fire Department received a significant grant from the State Fire Marshall for a washer-extractor and gear dryer.

Council Member Pavot provided an update from the most recent Police Commission meeting including response times, medication drop-off sites, and upcoming bridge closures with significant detours in the next year.

b. City Staff – None.

c. Contract Staff – None.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

- a. December 17, 2018 Claims

M/Hughes, S/Kane Palen to approve all claims for payment.

Motion carried 5-0.

13. UPCOMING MEETINGS & TRAINING

- a. January 7 – Regular City Council Meeting – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY)

- a. Mound FD November Report
b. LMCD 2018 Update

Shirley Bren, Spring Park resident and Council appointed representative to the Gillespie Center, presented a report from most recent board meeting. She announced several upcoming events including the Gillespie Center's participation in the Polar Bear Plunge in mid-January to benefit Minnesota Special Olympics.

15. ADJOURNMENT

M/Pavot, S/Horton to adjourn the City Council Meeting at 8:00 p.m.

The meeting was adjourned by unanimous consent.

Date Approved: January 7, 2019

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk

4c



2019 STAFF WAGE APPROVAL

Employee	Base Salary	Hourly Wage
Dan Tolsma	\$91,780.42	\$44.13
Sharon Farniok	\$38,947.12	\$23.41
Theresa Schyma	\$67,199.38	\$32.31

4/d

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-01

NAMING OFFICIAL DEPOSITORY

BE IT RESOLVED by the City Council of the City of Spring Park that Wells Fargo Bank of Minnesota, Mound is hereby appointed the official depository for the funds of the City of Spring Park retroactive to January 1, 2019.

BE IT FURTHER RESOLVED that Wells Fargo Bank of Minnesota, Mound, is hereby directed to honor and pay any checks or orders when signed by the Mayor and City Clerk or their duly appointed alternates as indicated on signature card duly executed and previously transmitted to said depository for the withdrawal or transfer of funds on deposit in said bank in whatever form.

BE IT FURTHER RESOLVED that in case such deposits shall at any time exceed Two Hundred and Fifty Thousand (\$250,000) dollars, said depository shall immediately furnish bond or securities in lieu of bond as collateral according to law.

BE IT FURTHER RESOLVED that said bank shall be entitled to rely upon this resolution until written notice of modification or revision has been furnished to and received by said bank.

ADOPTED by the City Council of the City of Spring Park this 7th day of January, 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-02

ESTABLISHING ORDER OF BUSINESS

BE IT RESOLVED by the City Council of the City of Spring Park that the business of the City Council shall be conducted in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Adopt Agenda
4. Adopt Consent Agenda
5. Public Forum
6. Presentations & Guest Speakers
7. Public Hearings
8. Petitions, Requests, Applications
9. Ordinances and Resolutions
10. Reports of Officers & Committees
11. New Business & Communications
12. Claims for Payment
13. Upcoming Meetings & Training
14. Miscellaneous (Information Only)
15. Adjournment

ADOPTED by the City Council of the City of Spring Park this 7th day of January, 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-03

RESOLUTION FOR APPOINTMENTS

WHEREAS, The City Council of the City of Spring Park has established a policy at the start of each new year to appoint committee members, recommending bodies, and other constituents to serve the City; and

WHEREAS, a Council Member is appointed to serve on the Administrative Committee; and

WHEREAS, a Council Member is appointed to serve on the Police Commission Committee; and

WHEREAS, a Council Member is appointed to serve on the Fire Commission Committee; and

WHEREAS, a Council Member is appointed to serve on the LMCD Board of Directors; and

WHEREAS, a Council Member and/or resident is appointed to serve on the LMCC Committee; and

WHEREAS, a Council Member is appointed to serve as Planning Commission Ex-Officio; and

WHEREAS, dates and times of these meetings will be posted or announced at regular Council meetings; and

WHEREAS, the terms of these appointments expire December 31 each year *or until a qualified successor is found to be acceptable.*

NOW THEREFORE BE IT RESOLVED that the City Council will approve the attached list of appointments of the City of Spring Park in January each year and does hereby approve this policy.

ADOPTED by the City Council of the City of Spring Park this 7th day of January, 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA
APPOINTMENTS FOR YEAR 2019**

- | | |
|--|---|
| 1. ACTING MAYOR | Hughes |
| 2. ACCOUNTANT | Abdo Eick & Meyers, LLP |
| 3. AUDITOR | MMKR, James Eichten |
| 4. CITY ATTORNEY | Kennedy & Graven |
| 5. CITY PROSECUTING ATTORNEY | Greg Keller |
| 6. EMERGENCY MANAGEMENT DIRECTOR
LOCAL COORDINATOR | Chief of Police
PeopleService |
| 7. CITY ENGINEER | Sambatek, Mike Kuno |
| 8. CITY ASSESSOR | Hennepin County |
| 9. OFFICIAL SIGNATURES
ALTERNATE SIGNATURES | Mayor, City Clerk
Acting Mayor, City Administrator |
| 10. OFFICAL NEWSPAPER | The Laker |
| 11. WEED INSPECTOR
ALTERNATE | Mayor
Kane Palen |
| 12. ADMINISTRATIVE COMMITTEE
ALTERNATE | Rockvam, Hughes
Pavot |
| 13. GILLESPIE CENTER REPRESENTATIVES
(City may appoint up to 2 representatives; at least 1 shall be a Council Member) | Horton, Bren (resident) |
| 14. POLICE COMMISSION
ALTERNATE
(City may appoint up to 2 representatives) | Rockvam, Pavot, Administrator
Kane Palen |
| 15. PLANNING COMMISSION EX-OFFICIO
ALTERNATE | Kane Palen
Horton |
| 16. BEAUTIFICATION COMMISSION | Planning Commission |

- | | |
|--|---|
| 17. LAKE MINNETONKA CABLE COMMISSION | Williamson (resident) |
| 18. SUBURBAN RATE AUTHORITY (SRA) | City Administrator |
| 19. DATA PRACTICES COMPLIANCE OFFICIAL
RESPONSIBLE AUTHORITY | City Clerk
City Clerk |
| 20. INVESTMENT, FINANCE, & PERSONNEL | Rockvam, Pavot, Administrator |
| 21. FIRE COMMISSION
ALTERNATE
(City may appoint up to 2 representatives) | Hughes, Administrator
Kane Palen |
| 22. LMCD BOARD OF DIRECTORS | Hughes (term ends 01/22) |
| 23. PLANNING COMMISSIONERS | Avalos (term ends 5/19)
Hoffman (term ends 5/19)
Mason (term ends 5/20)
Kaczanowski (term ends 5/20)
Homan (term ends 5/22) |

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-04

DATES OF MEETINGS, HOLIDAYS & OFFICE HOURS

WHEREAS, the City of Spring Park has established a program of setting administrative office hours for Spring Park City Hall and dates for City Council, Planning Commission, and other various committee meetings; and

WHEREAS, the City Council has appointed Commissioners and committee members to represent the City as a recommending body; and

WHEREAS, the meetings and committees will meet on specific dates as listed; and

WHEREAS, if these meetings and committee dates are changed unless listed below, they will be announced at regular Council meetings.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Spring Park that the following dates are designated for the purpose of such meetings:

1. Council Meetings will be held on the first and third Monday of each month at the Spring Park City Hall at 7:00 p.m. unless they fall on a legal holiday in which case they will meet on the succeeding day.
2. Council Study Sessions will be held the third Monday of the month starting at 6:00 p.m. unless they fall on a legal holiday in which case they will meet on the succeeding day.
3. Planning Commission Meetings will be held on the second Wednesday of each month at the Spring Park City Hall at 6:00 p.m.
4. Administrative Committee Meetings will be held on the Tuesday of the week following the council study session of each month.
5. Investment, Finance, & Personnel Committee Meetings will be held periodically and time and place will be announced at regular Council Meetings.
6. Police Commission Meetings will be held periodically and time and place will be announced at regular Council Meetings.
7. Fire Commission Meetings will be held periodically and time and place will be announced at regular Council Meetings.

NOW THEREFORE BE IT FURTHER RESOLVED, by the City Council of the City of Spring Park that the normal administrative office hours for Spring Park City Hall will be Monday through Friday 8:00 a.m. to 4:30 p.m. Furthermore, summer administrative office hours will be Monday through Thursday 7:30 a.m. to 5:00 p.m. and Fridays 7:30 to 11:30 a.m. starting the Monday before Memorial Day weekend and ending the Friday before Labor Day weekend.

NOW THEREFORE BE IT FURTHER RESOLVED, by the City Council of the City of Spring Park that on the following holidays the office will be closed in 2019:

- January 1, Tuesday, New Year's Day
- January 21, Monday, Dr. Martin Luther King, Jr. Day
- February 18, Monday, Presidents Day
- May 27, Monday, Memorial Day
- July 4, Thursday, Independence Day
- September 2, Monday, Labor Day
- November 11, Monday, Veteran's Day
- November 28, Thursday, Thanksgiving
- November 29, Friday, (swap for Columbus Day)
- December 24, Tuesday, (floating holiday)
- December 25, Wednesday, Christmas
- January 1, 2020, Wednesday, New Year's Day

ADOPTED by the City Council of the City of Spring Park this 7th day of January, 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

4h

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-05

**RESOLUTION APPROVING PRE-AUTHORIZATION OF CERTAIN CITY CLAIM
PAYMENTS**

WHEREAS, the Spring Park City Council is required to review expenditures before payments are made, and

WHEREAS, Minnesota Statute § 412.271 permits that a City Council can delegate authority in the payment of certain claims and disbursements that do not require prior Council approval, and

WHEREAS, business and contractor billing cycles do not always align with the City Council meeting schedule, and

WHEREAS, some businesses and contractors include finance charges for bills not paid within 10, 15, 20, or 30 days, and

WHEREAS, it is in the City's best interest to pay debts in a timely manner.

THEREFORE BE IT RESOLVED, that the Spring Park City Council authorizes City staff to issue payments, drawn on the proper fund, for the following expenditures:

All utilities (water, sewer, electrical, natural gas, telephone, etc.); postage; payroll activity; lease and rental payments; monthly insurance premiums; miscellaneous claims and office expenses not to exceed \$7,500; principal or interest on bond obligations where the exact amounts have been previously fixed by contract; replenishment of the petty cash fund; and other set payments from a contract that was previously approved by the City Council.

AND BE IT FURTHER RESOLVED, that City staff will present documentation regarding payment of the above mentioned claims to the City Council for its review at its next regularly scheduled meeting.

ADOPTED by the City Council of the City of Spring Park this 7th day of January, 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

4/i

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

RESOLUTION 19-06

RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS BY DESIGNATED CITY EMPLOYEES TO MAKE PURCHASES ON BEHALF OF THE CITY OF SPRING PARK FOR 2019

WHEREAS, pursuant to Minnesota Statute 471.382, the City Council may authorize the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City; and

WHEREAS, the City of Spring Park has developed a City Purchasing Card Policy which complies with State Statutes, Rules and the City of Spring Park’s policies regarding City purchases; and

WHEREAS, the authorization is subject to modification and revocation at any time by the Spring Park City Council;

NOW, THEREFORE, BE IT RESOLVED, that the following designated City staff are hereby authorized to use purchasing/credit cards in the name of the City of Spring Park:

- City Administrator
- City Clerk
- Office Assistant/Utility Billing Clerk
- Seasonal Maintenance Worker

BE IT FURTHER RESOLVED, that the aforementioned designated City staff are hereby authorized to use the following City credit card to make purchases on behalf of the City of Spring Park:

- One VISA credit card issued through US Bank in the name of the City.

ADOPTED by the City Council of the City of Spring Park this 7th day of January 2019.

Approved:

Jerome P. Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk

Ja



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

PLANNING REPORT

TO: Spring Park Planning Commission
FROM: Ryan Saltis / Alan Brixius
DATE: November 9, 2018
RE: Tonka Ventures West Parking Variance
FILE NO: 175.01 18.17
PROPERTY ADDRESS: 4164 Shoreline Drive
PID: 18-117-23-43-0155

BACKGROUND

Tonka Ventures LLC has submitted a land use application for a parking variance to allow parking stalls having direct access from a public street for their industrial property located along 4164 Shoreline Drive. The 28,000 sq. ft. tenant bay in the Tonka Ventures West building has limited parking spaces. The property owner proposes to add parking stalls at the along Interlachen Road and Warren Avenue in order to make parking available and convenient to the tenant bay's entrance. The attached site plan illustrates the location and proposed design of the requested parking.

Section 42-67(5).c of the Spring Park Zoning code prohibits industrial parking lots from having a design which requires direct backing into a public street. Due to limited lot area, and low traffic volumes on the adjoining streets the applicant is requesting a variance to allow expanded parking at the west end of their building with direct access and egress from public streets.

Attached for reference:

Exhibit A: Site Plan
Exhibit B: Aerial of head in parking areas
Exhibit C: 12/12 Planning Commission Meeting Discussion Excerpt
Exhibit D: Resolution 19-07: Approving Parking Variance

ANALYSIS

The applicant's building has a 28,000 sq. ft. tenant bay at the northwest corner of the west building. The tenant bay access is via Warren Avenue / Interlachen Road. This tenant bay is currently served by only 6 off-street parking stalls. Inspection of the site reveals that the current supply of parking is not sufficient to meet the needs of an industrial use in this tenant bay, resulting in parking in the loading area and on street.

The site plan shows the requested parking layout. This layout includes:

1. Removing the curb island between the loading area and Warren Avenue to allow for 12 head in parking stalls within the existing loading area. If approved, truck using the existing loading dock would use Warren Avenue for truck maneuvering. The Site plan shows the loading movements for large trucks. The truck movements appear to work within the proposed design. The Applicant has indicated the sparse frequency of trucks will not create a significant disruption of traffic along Warren Avenue.
2. The site plan also proposes to remove curbing and lawn space along the west side of the industrial building to provide 8 head in parking stall along Interlachen Road.
3. The proposed parking layout will provide 22 standard parking stalls and 4 compact parking stalls for a total of 26 stalls on the west side of the building.
4. All the parking stalls meet the dimensional standards for both the regular and compact parking stalls in Spring Park.

VARIANCE;

Section 42- 166 of the City Code outlines the following criteria for consideration of a variance.

Sec. 42-166. - Conditions governing consideration of variance requests.

(a) In considering any request for a variance and in taking subsequent action, planning commission and the city council, serving as the board of adjustment and appeals, shall make a finding of fact that the granting of such variance will not:

- (1) Impair an adequate supply of light and air to adjacent property.

Response: The proposed parking will not impair an adequate supply of light and air to the adjacent property.

(2) Unreasonably increase the congestion in the public streets.

Response: Interlachen Road and Warren Avenue are low volume streets. The parking variance is not expected to change congestion on these streets to an unreasonable degree. There has been past precedent in which the City of Spring Park has allowed additional parking accessed off of low volume roads and has proven to not increase congestion. See Exhibits showing head in parking along Warren Avenue, Spring Street and De Otero Avenue.

(3) Increase the danger of fire or endanger the public safety.

Response: The parking variance will not increase the danger of fire or endanger public safety.

(4) Unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this chapter.

Response: The parking variance is not expected to unreasonably diminish or impair property values within the neighborhood. An increase of convenient parking at this end of the building will make the northwest tenant bay more viable and marketable.

(5) Violate the intent and purpose of the city comprehensive plan.

Response: The parking variance will not violate the intent or purpose of the comprehensive plan. The site is currently zoned M, Manufacturing and is guided similarly in the 2030 comprehensive plan. The Spring Park Comprehensive Plan outlines the following recommendation for industrial properties. The proposal to expand parking opportunities is consistent with these Comprehensive Plan recommendations.

1. The City will monitor industrial land uses to promote environmentally clean businesses to avoid issues related to air, water, and ground pollution.

2. The City shall continue to work with the property owner to avoid land use nuisance issues related to noise, light, odors, or traffic.

3. The City will require changes in building occupancy to provide adequate off-street parking. Looking to the future, both the property owner and the City question the long range viability

(b) A variance from the requirements of this chapter shall be permitted only when:

(1) The requested variance is in harmony with the general purposes and intent of the zoning ordinance.

Response: The parking variance lines up with the general purposes and intent of the zoning ordinance in the M, Manufacturing district. Providing additional parking to serve the building and its uses is consistent with the intent and purpose of the Spring Park zoning code.

(2) The requested variance is consistent with the city's comprehensive plan.

Response: The requested variance will provide additional parking for the industrial site; this is consistent with the Spring Park Comprehensive Plan recommendation of providing adequate parking for the guided industrial land use areas of the city.

(c) No variance shall be granted that would allow any use that is not permitted in the zoning district in which the subject property is located.

Response: The industrial parking is a permitted accessory use within Spring Park's M, Manufacturing district.

(d) A variance may be granted when the applicant establishes that there are practical difficulties in complying with the zoning ordinance without a variance. As used in connection with the granting of a variance, the term "practical difficulties" means that:

(1) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

Response: The city requires adequate parking for industrial development. Currently, this portion of the building is served by only 6 parking stalls, which have proven to be insufficient for the available tenant space. The Variance will allow additional convenient parking to resolve the parking issues in this area of the site. The expanded parking is a reasonable use of the property provided the parking design and location offers a safe site design.

(2) The plight of the land owner is due to circumstances unique to the property not created by the land owner; and

Response: The site area and configuration physically limits the opportunity to provide required on-site parking in a manner that meets all the Zoning Code design Standards. The proposed site design attempts to maximize the available parking within the physical constraints of the site, in a manner that is safe and functional.

(3) The variance, if granted, will not alter the essential character of the locality.

Response: The city has allowed head in parking off of low volume local streets in the past where land supply could not provide sufficient on-site parking. Examples

of this are provide in the exhibits showing Warren Avenue, Spring Street and De Otero Avenue.

Conditions may be imposed on the granting of a variance, provided the conditions are directly related to the impact created by the variance and bear a rough proportionality to the impact created by the variance.

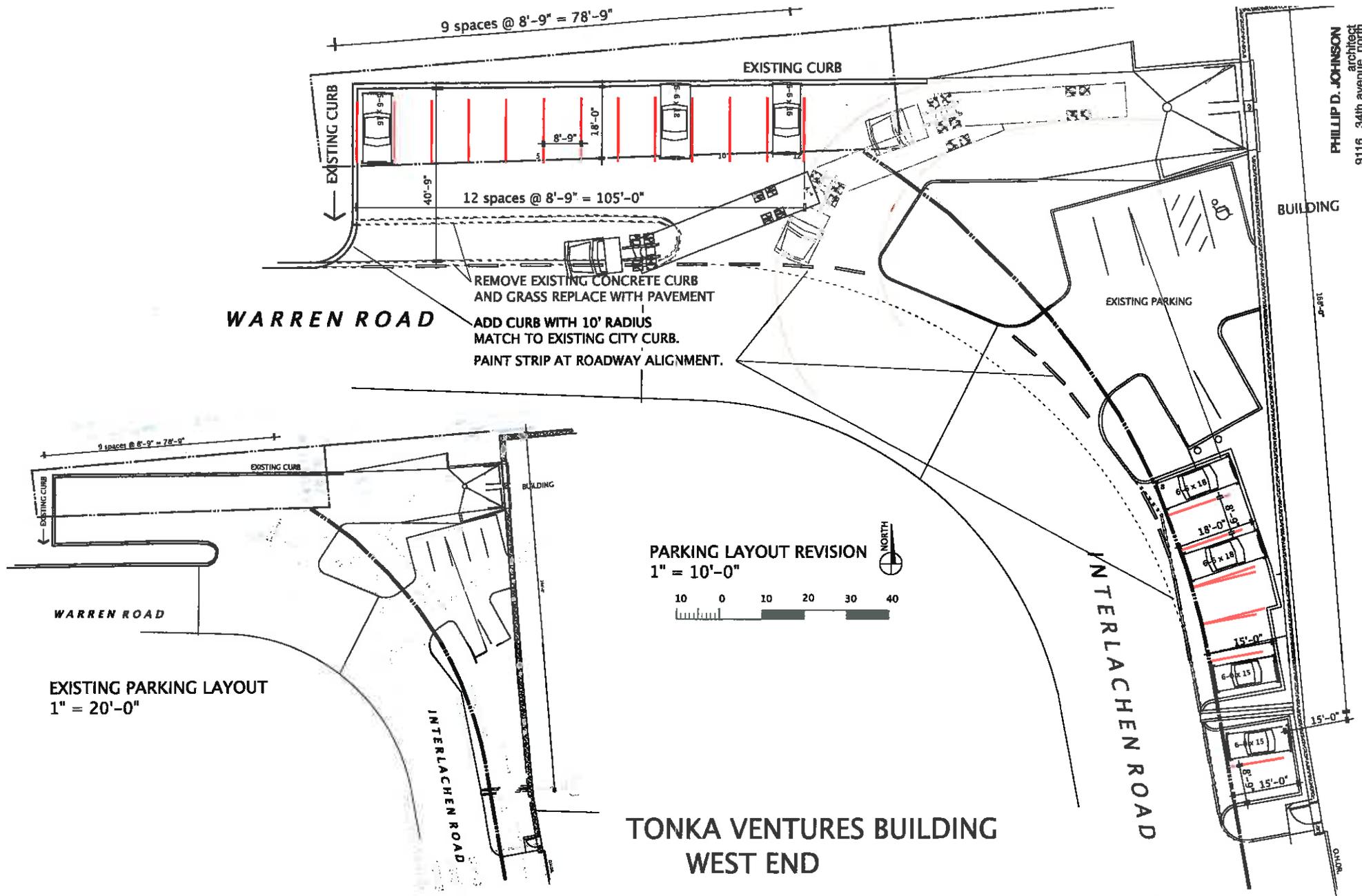
Response: See the recommendation conditions below.

RECOMMENDATION

Based on our review of the plans submitted on behalf of Tonka Ventures LLC dated September 20, 2018, we recommend **approval** of said plans and the requested variance with the following conditions:

1. Site grading and drainage plan. The applicant must show the proposed parking lot grading and drainage patterns. The plan must identify the total hard cover area and percentage of hard cover for the entire industrial site. Plan must address the drainage patterns, retention, and treatment for the new hard surface. Said plan shall be subject to the review of the City Engineer.
2. Lighting Plan: The applicant shall provide a lighting and photometric plan for any new exterior lighting proposed for the new parking areas. Any new lighting must be 90 degree cutoff light fixtures with a shielded light source.
3. The compact parking stalls shall signed "Compact Cars Only".
4. Subject to the comments of other City Staff.

Cc. Theresa Schyma Phil Johnson
Mike Kuno Scott Qualle
Mary Tiejn Joel Buttenhoff



WARREN ROAD

WARREN ROAD

EXISTING PARKING LAYOUT
1" = 20'-0"

REMOVE EXISTING CONCRETE CURB
AND GRASS REPLACE WITH PAVEMENT

ADD CURB WITH 10' RADIUS
MATCH TO EXISTING CITY CURB.
PAINT STRIP AT ROADWAY ALIGNMENT.

PARKING LAYOUT REVISION

1" = 10'-0"



TONKA VENTURES BUILDING
WEST END

INTERLACHEN ROAD

BUILDING

EXISTING PARKING



Hennepin County Property Map

Date: 12/14/2018



No results

Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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Hennepin County Property Map

Date: 12/14/2018



No results

Comments:

This data (I) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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Hennepin County Property Map

Date: 12/14/2018



No results

Comments:

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PUBLIC HEARING EXCERPT FROM
ITEM #6A OF DRAFT PLANNING
COMMISSION MEETING MINUTES
DECEMBER 12, 2018

6. CONSIDERATION/DISCUSSION ITEMS

a. Tonka Ventures Variance Request Public Hearing

City Planner Brixius reviewed Land Use Application No. 18-04 VAR requesting a parking variance to allow parking stalls having direct access from a public street for their industrial property located along 4164 Shoreline Drive. The application notes that the 28,000 square foot tenant bay in the Tonka Ventures West building has limited parking spaces. He detailed the proposed plan including recommended conditions for approval.

Commissioner Mason asked if there was a landscape plan to replace the trees that are being removed from the concrete curb area.

City Planner Brixius responded there is not a landscape requirement because sight lines need to be clear for parking and adding landscaping to this narrow section will likely not improve the area.

City Council Member/Planning Commission Ex-Officio Kane Palen stated there are visibility concerns already on that corner due to large snow piles and wanted to know if there was a plan in place for snow removal.

City Administrator Tolsma responded that the current large snow pile that creates visibility concerns on that particular corner is on the adjacent property, not the applicant's property. He added that the two owners might need to have a discussion to see if they can make an arrangement regarding snow storage on their respective lots.

City Planner Brixius added that the Planning Commission could request another condition of variance approval is that the applicant provide a snow removal and storage plan.

Commissioner Kaczanowski stated his concern is about stacking up parking on the busy intersection of County Roads 15 and 125. He asked if a condition could be added so that the tenants would be required to use the additional parking closer to Warren Avenue first and then use the head-in parking on Interlachen as more of an overflow parking area.

Chair Hoffman stated that he would not be in favor of that condition since you would be telling a property owner that they aren't allowed to use their own parking area when the same thing is allowed across the street.

Commissioners Mason and Homan agreed with Chair Hoffman.

Chair Hoffman opened the public hearing at 7:36 p.m.

Phil Johnson, architect for the proposed Tonka Ventures project, was available for questions. He also noted that the previous tenant in the 28,000 square foot area had a very low employee count so it was not an issue but any new tenant to such a large space will find it difficult to manage with only six parking spaces available.

Commissioner Kaczanowski asked about mitigation for erosion and rain water.

City Planner Brixius responded that a condition of approval is that the applicant provide a site grading and drainage plan that must address the drainage patterns, retention, and treatment for the new hard surface. The plan would be subject to the review and approval of the City Engineer.

City Administrator Tolsma discussed the retention pond on Warren Avenue, the 12 acre area that the pond covers, and drainage patterns.

M/Mason, S/Homan to close the public hearing at 7:46 p.m.

Motion carried 4-0.

Commissioner Homan asked if anything can be done with the visibility concern created by the adjacent property owner.

Chair Hoffman responded that there is currently not a City ordinance detailing how high a snow pile can be or where on your property it must be stored.

City Administrator Tolsma added that as long as the snow is not moved into the right-of-way or taking up required parking then it is allowed. However, he added that even without this variance the City should have a discussion with the adjacent property owner regarding the snow storage because it does create visibility issues on that corner.

M/Homan, S/Hoffman to recommend to the City Council to approve Land Use Application Nos. 18-04 VAR, for a variance to allow parking stalls having direct access from a public street for their industrial property located along 4164 Shoreline Drive with the following conditions:

1. Site grading and drainage plan. The applicant must show the proposed parking lot grading and drainage patterns. The plan must identify the total hard cover area and percentage of hard cover for the entire industrial site. Plan must address the drainage patterns, retention, and treatment for the new hard surface. Said plan shall be subject to the review of the City Engineer.
2. Lighting Plan: The applicant shall provide a lighting and photometric plan for any new exterior lighting proposed for the new parking areas. Any new lighting must be 90 degree cutoff light fixtures with a shielded light source.
3. The compact parking stalls shall be signed "Compact Cars Only".
4. The Applicant shall provide a snow removal and storage plan for the new parking area and loading dock area.
5. Subject to the comments of other City Staff.

Motion approved 4-0.

**CITY OF SPRING PARK
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION NO. 19-07

**RESOLUTION APPROVING THE SITE PLANS AND VARIANCE TO ALLOW
HEAD-IN PARKING FOR TONKA VENTURES WEST AT 4164 SHORELINE
DRIVE WITHIN THE CITY OF SPRING PARK**

WHEREAS, Tonka Ventures LLC is proposing to add additional parking stalls accessed directly from Warren Avenue and Interlachen Road for the 28,000 square foot tenant bay located at 4164 Shoreline Drive and has submitted an application for land use review; and

WHEREAS, City Staff have reviewed submitted plans and prepared a planning report dated December 12, 2018; and

WHEREAS, the Spring Park Planning Commission met and held a public hearing on December 12, 2018 to consider the variance request, the staff reports, and to take public testimony.

WHEREAS, upon closing the public hearing, the Planning Commission recommended that the City Council approve the site plan and Variance for expanded parking at 4164 Shoreline Drive subject to the conditions outlined in the December 12, 2018 Planning Report as amended and based on the following findings-of-fact:

- Additional parking is permitted in the M, Manufacturing district, and is a reasonable use of the property, especially given the six current stalls on the property is not sufficient for the 28,000 sq. ft. tenant bay.
- Unique circumstances stemming from the property's physical layout (lot size, atypical shape, curved roadways) are not hardships created by the landowner.
- The proposed parking would not impact the supply of light or air to adjacent properties, and will not increase the danger of fire or endanger public safety.
- The additional parking is not expected to change congestion on Warren Avenue or Interlachen Road to an unreasonable degree. These are low volume roads and open sight lines from both Warren Avenue and Interlachen Road will accommodate the proposed site layout.
- Direct head-in parking stalls accessed from a public street exists in other areas of the city including Interlachen Road, Warren Avenue, Spring Street and Del Otero. This request is consistent with these past accommodations.
- The additional parking on the site would not impact surrounding property values and would be expected to increase the individual site's value as well as make the site appealing to future renters/leasers of the building.
- Private improvement and investment are consistent with goals of Comprehensive Plan of having commercial and industrial properties provide sufficient parking to accommodate the proposed business.

WHEREAS, the Spring Park City Council met on December 12, 2018 to consider the variance application; and

WHEREAS, the Spring Park City Council has received the aforementioned plans, staff review documents, and the Planning Commission recommendation, and agrees with the findings and recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Spring Park, Minnesota hereby approves the site plan and parking variance for 4164 Shoreline Drive, subject to the following conditions:

- A site grading and drainage plan shall be submitted showing the proposed parking lot grading and drainage patterns. The plan must identify the total hard cover area and percentage of hard cover for the entire industrial site. The plan must also address drainage patterns, retention, and treatment for the new hard surface. These plans shall be subject to the review and approval of the City Engineer.
- A lighting and photometric plan shall be provided for any exterior lighting being proposed for the new parking areas. Any new lighting must be 90 degree cutoff light fixtures with a shielded light source.
- The compact parking stalls shall be signed “Compact Car Parking Only”.
- The Applicant shall provide a snow removal and storage plan for the new parking area and loading dock area shall be provided. Said plan shall illustrate that snow storage will not obstruct sight lines for vehicles within the parking stalls or on the public streets.
- Subject to comments of other City Staff.

Adopted by the City Council of the City of Spring Park this 7th day of January, 2019.

Jerome Rockvam, Mayor

Attest:

Theresa Schyma, City Clerk