



CITY OF SPRING PARK
PLANNING COMMISSION AGENDA
JANUARY 9, 2019 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. APPROVAL OF MINUTES
 - a. Planning Commission Meeting Minutes from December 12, 2018
6. CONSIDERATION/DISCUSSION ITEMS
 - a. Short-Term/Rental Licensing Ordinance Discussion
7. COMMUNICATIONS
8. MISCELLANEOUS
9. ADJOURNMENT



CITY OF SPRING PARK
 PLANNING COMMISSION MINUTES
 DECEMBER 12, 2018 – 7:00 PM
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Chair Hoffman at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE – Chair Hoffman led the audience in the Pledge of Allegiance
3. ROLL CALL

Planning Commissioners Present: Jeff Hoffman, Chair, Bruce Homan, Michael Mason, and Pete Kaczanowski

Planning Commissioners Absent: Max Avalos

Staff Present: Dan Tolsma, City Administrator; Al Brixius, City Planner; and Theresa Schyma, City Clerk.

Others Present: Catherine Kane Palen, City Council Member/Planning Commission Ex-Officio

4. ADOPT AGENDA

M/Kaczanowski, S/Mason to approve the agenda.

Motion carried 4-0.

5. APPROVAL OF MINUTES

- a. Planning Commission Meeting Minutes from November 14, 2018

Commissioner Homan requested that Anton Reder be added to the “Others Present” section of the minutes. He further requested to add “requires a two-night minimum stay” to Mr. Reder’s comments on page 3, paragraph 3 since he believes it was an important point in the discussion.

City Clerk Schyma responded that typically the “Roll Call” section is reserved for those individuals who are attending the meeting in an official capacity but if the Planning Commission would like Mr. Reder added then the minutes will be amended.

M/Kaczanowski, S/Mason to approve the minutes as amended.

Motion carried 4-0.

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.

b. Fence Ordinance Amendment Public Hearing

City Planner Brixius 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 and current fencing options that are widely available at local lumber and retail stores.

Chair Hoffman opened the public hearing at 7:58 p.m.

There was nobody in the audience requesting to speak.

M/Mason, S/Kaczanowki to close the public hearing at 7:58 p.m.

Motion carried 4-0.

Chair Hoffman stated that he is not entirely in agreement with the requirement of a minimum of 4 inches of open clearance from the ground to control water. He added that he thinks a minimum clearance of one inch is acceptable to allow the passage of water but still be able contain small animals.

The Planning Commission consensus was to amend the language of the proposed fence ordinance of Section 42-64. (i) (5) b. from “minimum of 4 inches” to “minimum of 1 inch.”

M/Homan, S/Mason to recommend to the City Council to approve draft ordinance language from the report dated October 25, 2018, amending Chapter 42 of the Spring Park City Code related to fence regulations with the further modification of Section 42-64. (i) (5) b. changing the language from “minimum of 4 inches” to “minimum of 1 inch.”

Motion approved 4-0.

c. Short-Term/Rental Licensing Ordinance Discussion

City Planner Brixius provided a presentation of rental ordinance comparisons from surrounding communities that the Planning Commission requested at a previous meeting. He added that tonight’s presentation was information only and that no action is required. He reviewed rental ordinances, including short-term rentals, licensing requirements, standards, and rules from the cities of Wayzata, Excelsior, Tonka Bay, Mound, Orono, and Minnetonka Beach.

City Planner Brixius stated that the Lake Minnetonka area is prime for short-term rentals and that is why most communities are pursuing an ordinance to address the needs of their particular communities.

The Planning Commission discussed licensing, enforcement, parking requirements, and the International Property Maintenance Code.

The Planning Commission consensus was to invite the City Building Official to an upcoming meeting to provide information on the International Property Maintenance Code. Furthermore, the commission consensus was to move forward with looking at a rental ordinance as a whole instead of separating short-term and long-term rentals into separate ordinances; short-term rentals would just be a component of the overall rental ordinance.

Chair Hoffman asked about inviting certain landlords and short-term rental operators to some of the upcoming discussions about the ordinance.

City Administrator Tolsma cautioned against hand-picking people to shape the ordinance; an ordinance that is shaped by landlords would look much different than an ordinance shaped by

renters and neighbors. All meetings and agendas are public so anybody is able to attend but it is difficult to request feedback when ordinance language is still being drafted.

Chair Hoffman agreed that draft language should be available before invitations should be sent out.

Commissioner Mason asked staff how the public hearings will be publicized.

City Administrator Tolsma responded that staff will advertise for resident feedback for the rental ordinance much like the outdoor storage ordinance in 2017; information in the City newsletter, draft ordinance language and feedback information on the City's website, and a bulk mailing to all residents.

7. COMMUNICATIONS

City Clerk Schyma reminded the Planning Commission of the new 6:00 p.m. meeting start time beginning January 2019.

8. MISCELLANEOUS

Commissioner Mason discussed the idea of having Spring Park memorabilia available to the public for purchase.

Commissioner Homan added that Planning Commissioners could possibly receive one item of Spring Park memorabilia instead of having the annual Planning Commission appreciation dinner.

Commissioner Mason wanted to reiterate his earlier statements from previous meetings that the Planning Commission is also the City's Parks Board; and therefore, should have had the opportunity to receive a presentation from the special committee of City Council Members that were considering playground upgrades at the City's two parks before any decisions are made so that commissioners could comment, change, or even add to the plan.

9. ADJOURNMENT

M/Mason, S/Homan adjourn the Planning Commission Meeting at 8:29 p.m.

Motion carried 4-0.

Date Approved: January 9, 2018

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk

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MEMORANDUM:

TO: Dan Tolsma

FROM: Alan Brixius

DATE: January 4, 2019

RE: Housing Code – International Property Maintenance Code

FILE NO: 175.01

BACKGROUND:

At their December meeting the City Council directed City Staff to proceed with the research and development of a Rental Housing ordinance for both short and long term residential rental licensing codes. As part of all rental housing codes is the need for housing inspections to insure that the rental housing units are in safe, sanitary and livable conditions. As part of the proposed draft rental codes, staff is suggesting the adoption of the International Property Maintenance Code (IPMC). This code extends beyond in-place building and fire codes to allow a more comprehensive inspection of residential housing conditions addressing both the structure and the surrounding property conditions.

We have invited Scott Qualle to the next planning commission to address the content and application of the IPMC within Spring Park. Scott has familiarity with the code and its application with other Cities.

ANALYSIS:

The IPMC code addresses the following topics:

Chapter 1 Scope and Administration

Section 108 Unsafe Structures and Equipment:

Unsafe Structures
Unsafe Equipment
Structure for human Occupancy
Unlawful Structure
Dangerous Structure or Premise
Closing Vacant Structures

Chapter 3 General Requirements

Section 302 Exterior Property Areas:

Grading and Drainage
Sidewalks and Driveways
Weeds
Rodent Harborage
Exhaust vents
Accessory Buildings
Motor Vehicles
Defacement of Property
Stoops, Stairs, Railings.
Fences and gates.

Section 304 Exterior Structure:

Unsafe conditions.
Premise Identification, Address Signs.
Foundations, load bearing, cracks, crumbling.
Exterior walls, holes, cracks decay,
Roofs and drainage, leaks, eaves
Stairways, Decks, Porches, Balconies, Handrails, and guards
Chimneys and towers.
Windows, Skylights, Doors, Insect Screens
Basement Hatchways

Section 305 Interior Structure:

Unsafe conditions
Structural supports
Interior surfaces (walls and ceilings); clean, paint conditions chipping peeling, cracked walls, etc.
Stairs and Walking surfaces,
Handrails and Guards
Interior Doors

Section 308 Rubbish and Garbage / Section 309 Pest Elimination

- Accumulation of Rubbish and Garbage
- Disposable of Rubbish and Garbage
- Rubbish and Garbage storage facilities
- Refrigerators disposal
- Pest control and elimination

Chapter 4 Light, Ventilation, and Occupancy Limitations

Section 402 Light:

- Habitable Space
- Common Hallways and Stairways
- Other Spaces

Section 403: Ventilation:

- Habitable Spaces
- Bathrooms and Toilet Rooms
- Cooking facilities
- Process Ventilation
- Clothes Dryer Exhaust

Section 404 Occupancy Limits:

- Privacy
- Minimum Room Widths
- Minimum Ceiling Heights
- Bedroom and Living Room Requirements
- Room Area
- Access form Bedrooms
- Water Closet Accessibility
- Prohibited Occupancy
- Overcrowding

Chapter 5 Plumbing and Fixture Requirements:

- Required Facilities
- Toilet Rooms
- Sanitary Drainage Systems
- Plumbing Systems and Fixtures
- Water System/ Supply/ Pressure
- Water Supply Protection / Contamination
- Water heating

Chapter 6 Mechanical and Electrical Requirements:

Heating Facilities, Heat Supply
Safety Controls, Combustion Air, Venting, Energy Saving Devices
Room Temperatures
Occupiable Work Spaces
Ventilation and duct systems
Electrical Facilities
Service Connections
Electrical Wiring, Circuit Breakers Switches, Outlets
Lighting, Luminaires

Chapter 7 Fire Safety Requirements:

Means of Egress
Emergency Escape Openings.
Fire Resistance Ratings
Fire Protection Systems, Sprinklers, Smoke Alarms, Power sources

CONCLUSION:

The outline above is only intent to illustrate the extent of the regulations within the IPMC. A city may edit this code address issues unique to the individual city, however, as illustrated in the IPMC it is intended to be comprehensive in addressing the housing conditions that are need for safe, sanitary and quality living environments.

With the assistance of the City Building Official we will discuss the IPMC at planning commission to determine if the City is comfortable with this new code and its application in Spring Park

Theresa Schmya
Scott Qualle
Mary Tietjen