



CITY OF SPRING PARK
PLANNING COMMISSION AGENDA
JUNE 10, 2020 – 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 May 13, 2020
6. CONSIDERATION/DISCUSSION ITEMS
 - a. 2463 Black Lake Road Variance Continuation
 - i. Staff Presentation
 - ii. Public Hearing
 - iii. Discussion
 - iv. Recommendation
7. COMMUNICATIONS
8. MISCELLANEOUS
9. ADJOURNMENT



CITY OF SPRING PARK
PLANNING COMMISSION MINUTES
MAY 13, 2020 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Chair Hoffman at 6:03 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; Michael Mason; Max Avalos; Pete Kaczanowski; and Bruce Homan (via telephone)

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

4. ADOPT AGENDA

Commissioner Mason asked for the agenda to be amended to include Item #8a – Election of Officers.

Commissioner Avalos asked for the agenda to be amended to include Item #8b – Update on Tax-Forfeited Properties.

Commissioner Homan asked for the agenda to be amended to include Item #8c – Update on Council Schedule Regarding Rental Properties.

Commissioner Kaczanowski asked for the agenda to be amended to include Item #8d – Expansion of Basketball Court at Thor Thompson Park.

M/Homan, S/Avalos to approve the agenda as amended.

Motion carried 5-0

5. APPROVAL OF MINUTES

- a. Planning Commission Meeting Minutes from September 11, 2019
- b. Planning Commission Meeting Minutes from October 16, 2019

M/Avalos, S/Kaczanowski to approve the minutes.

Motion carried 5-0.

6. CONSIDERATION/DISCUSSION ITEMS

a. 2463 Black Lake Road Variance Request

i. Staff Presentation

City Planner Brixius provided a summary of the application for a variance at 2463 Black Lake Road. He stated the location, size, and design are the concern if approved. As currently presented, he is recommending denial due to the issues the garage placement would cause for future improvement of utilities, efficient snow plowing, and public safety concerns with extremely limited sight lines. He added that he did prepare some conditions for approval if the Planning Commission believed the current design should be recommended to the City Council.

i. Public Hearing

Chair Hoffman opened the public hearing at 6:20 p.m.

Gregg and Carol Steiger, owners of 2463 Black Lake Road, were available for questions.

Mr. Steiger stated that he is open to other ideas including the conditions that City Planner Brixius mentioned like moving the door to the south-side of the design and not holding the City liable for any damage with future utility improvements or snow plowing. He added that he would prefer to not move the door to the south-side as he believes it would negatively impact his neighbor. Furthermore, he stated that if the variance is not approved, they would still put a one car garage in that space.

Mrs. Steiger added that the current one car garage is dilapidated and needs to be replaced. She also said that she has talked with several neighbors and they are all in favor of the design and application.

Commissioner Mason said he would like to see the new design improve the setback issue on the property. He recommended eliminating the bump-out area on the house so that the garage could be setback further from the street.

Mrs. Steiger responded that they were going to use that area to add a bathroom for elderly guests.

Commissioner Kaczanowski recommended turning the current one-car garage design so that there is extra space for a bathroom.

City Planner Brixius responded that option would increase visibility and reduce the current legal non-conforming setbacks.

City Planner Brixius stated that if the applicants are open to revising their design, then he recommends continuing the public hearing to the next meeting so that they can continue the application instead of starting the process all over again. He discussed options for the applicants to explore.

Commissioner Kaczanowski asked about the proposed utility updates on Black Lake Road in 2024.

Commissioner Mason asked how snow plowing would be impacted on the road. He also noted that the applicants currently have 5-6 cars parked on their property.

Mrs. Steiger responded that everybody is currently home due to the COVID-19 pandemic.

City Administrator Tolsma stated that there will be challenges with this property either way. He added that the major concern is snowfall because that road is already difficult for the plows to navigate. He asked if the applicants would consider adding bollards if they moved the doors to the south. He stated that the variance would cause extra maintenance for the City's plow trucks. He added that clearing the bollards would need to be the responsibility of the property owners.

Mr. Gregg stated that if the plow is simply pushing snow on his property, he was unclear as to why it would be an issue.

City Planner Brixus responded that plow trucks causing damage to his structure would be a concern.

City Administrator Tolsma added that the accumulation of snow is the main issue because it makes an already narrow road even more narrow. And, because of the structure, there is nowhere for the snow to go.

Mrs. Steiger asked if the City would be willing to pay the \$22,000 estimate to move the storm drain across the street so that they can get their expanded garage and remove the utility issue for the City.

City Administrator Tolsma responded that is a City Council decision. He also stated that the Council would need to have the City Attorney weigh-in on the issue to see if there is a true public benefit for that money.

Chair Hoffman added that there is a fine line when appropriating taxpayer money for something that will only benefit one property.

ii. Discussion

Commissioner Avalos stated that this application is definitely a unique situation on a very difficult road but he would be in favor of having the applicants revise their design and come back to the Planning Commission to continue the discussion.

City Planner Brixus reiterated the option to the applicants to revise their design so that the garage is oriented to the south as a one-car, oversized one-car, or possibly a two-car design.

Chair Hoffman asked the applicants if they would like to revise their plan and come back at a later date.

Mr. and Mrs. Steiger responded they would like to look at other designs and come back to the Planning Commission.

The Planning Commission consensus was to continue the public hearing to allow the applicants some time to revise their plan and resubmit a new design for consideration.

iii. Recommendation

M/Hoffman, S/Avalos to continue the public hearing to the next Planning Commission Regular Meeting.

Motion carried 5-0.

City Clerk Schyma announced that written comments were received from Mark and Kris Kinter, 2468 Black Lake Road, in support of the variance application.

7. COMMUNICATIONS – None.

8. MISCELLANEOUS

a. Election of Officers

Commissioner Mason stated he wanted to nominate Commissioner Homan for Chair.

Commissioner Kaczanowski congratulated Chair Hoffman on his appointment to the City Council and asked him how this impacts his position on the Planning Commission.

Chair Hoffman responded that he is able to serve on both the City Council and Planning Commission due to a new ordinance that was passed. He added that he would like to remain as Chair but opened the issue up for discussion.

Commissioner Homan stated that he appreciates the nomination but hadn't had a chance to discuss things with Chair Hoffman. He stated that he supports Chair Hoffman remaining as Chair for 2020 and rescinds his nomination. He added that he would be interested in Vice Chair.

M/Mason, S/Hoffman to approve Jeff Hoffman as Chair of the Planning Commission and Bruce Homan as Vice Chair of the Planning Commission for 2020.

Motion carried 5-0.

b. Update on Tax-Forfeited Properties

City Administrator Tolsma provided an update on tax-forfeited properties. He stated that all seven properties are now in the City's name and that all title work has been completed. He added that two of the properties are adjacent to properties that are currently in litigation with the City over nuisance issues. Due to the litigation, he is unable to discuss many of the details.

Chair Hoffman stated that after the litigation is complete, the Planning Commission should add the tax-forfeited properties to an agenda in order to make recommendations to the City Council about the properties that are adjacent to the City's park.

c. Update on Council Schedule Regarding Rental Properties

Commissioner Homan stated that a lot of effort, time, and money were spent on getting the proposed ordinances to the City Council and wanted to be sure that things were still moving forward.

City Administrator Tolsma responded that a discussion is scheduled for the May 18 City Council work session. He further added that the delay in having the Council review the proposed ordinances was caused by several factors including losing two Council members, having to appoint new Council Members, and then the COVID-19 pandemic.

d. Expansion of Basketball Court at Thor Thompson Park

Commissioner Kaczanowski wanted to revisit the subject of expanding the basketball court at Thor Thompson Park that his son brought up at a previous Planning Commission Meeting.

City Administrator Tolsma responded that the idea can be revisited including possible grant options. He recalled that one of the original questions was whether or not the expansion of the basketball court would be too close to centerfield of the ball park.

Commissioner Kaczanowski stated that if the grant application gets denied, we could just keep applying.

City Administrator Tolsma responded yes, but there is a strategy when it comes to grant applications because a city doesn't want to look like it always has its hand out. He added that he will look into the grant options that are available.

Commissioner Kaczanowski asked if staff could take a look at the edge plating the next time they are at the basketball court. He believes there is some damage that may have been caused by mowing.

City Administrator Tolsma responded that staff will look into it and see if it also might be something that the manufacturer might need to repair.

9. ADJOURNMENT

M/Mason, S/Avalos to adjourn the Planning Commission Meeting at 7:19 p.m.

Motion carried 5-0.

Date Approved: June 10, 2020

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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MEMORANDUM:

TO: Dan Tolsma
FROM: Alan Brixius
DATE: June 5, 2020
RE: 2463 Black Lake Road – Street Side Variance
FILE NO: 175.01 20.01
PROPERTY ADDRESS: 2463 Black Lake Road

BACKGROUND:

The Spring Park Planning commission considered the street side variance request of Gregg and Carol Steiger for their property located at 2463 Black Lake Road at a May 13, 2020 public hearing . The proposed variance is for the teardown of an attached single stall garage and the construction of a new two stall garage and living space (above the garage). The existing garage has a failing foundation and needs to be replaced.

At the public hearing the City Staff presented the planning report with the recommendation of denial of the variance with specific findings. Upon considering the staff recommendation and at the request of the applicant; the public hearing for the variance request was continued to the June 10, 2020 planning commission meeting to allow the applicant to explore alternative building design and layout that may increase the setback between the garage and street.

The applicant has submitted a new plan showing a two car garage with the door oriented to the south to eliminate direct access to Black Lake Road.

Exhibit A March 14, 2020 Site Plan
Exhibit B May 30, 2020 Site Plan
Exhibit C Alternative Option

ANALYSIS:

The March 2020 Site plan shows the existing garage being 5 feet 5 inches from the street pavement and 2.5 feet from the east lot line with the new addition being 4 feet 4 inches from the street and 4 feet from the street.

May Site Plan:

The May 2020 site plan show an increase of 1 foot of setback in the area of the existing garage and not increase in setback in the area of the new addition.

The May site plan does not provide an increased setback that addresses the concerns of the previous April 23, 2020 planning report. The City Engineer has reviewed the May site plan and offers the following comments.

"I reviewed the tie cards for the property. Dimensioning the curb box location from the submitted plans shows that it is just within the new structure. I think it is important for the owner to verify the curb box on their plans to confirm that the curb box will still be located outside of the structure.

The proposed street and utility improvement project will require replacement/rehab of the water main. With the location of the water main being closer to the garage, this could potentially eliminate trenching the water main as an improvement option. Based on the location of the curb box, a new connection to a new future water main would again be closer to the structure, requiring excavation near the structure. In addition, the road would be widened to a minimum 20'. The road base/subbase would be improved with this as well which would require a minimum 2-3' cut at the edge of bituminous near the face of the garage (or more if poor soils are found), to be replaced with suitable road materials to ensure the life of the road.

There is a moderate to high amount of risk to the City with allowing the garage to remain in the same space and be extended. The major risk being the undermining of the garage with future street and utility projects. Approval of their plan would force any future ROW acquisitions and road widening to occur on the opposite side of the road. This would be further exacerbated with the inclusion of curb and gutter. There is additional risk of the corners of the building being struck during snow removal and would likely require bollards. I have not yet checked fire apparatus turning radii as it relates to this road, but with the utility pole located on the opposite side of the road, the garage would create a pinch point for fire vehicles and their turning radius requirements.

In my opinion, the risks to the City far outweigh the benefits."

As noted in the Engineer's comments approval of the street side variance in the amount being requested in the June site plan would negatively impact the city's future street and utility project but could also damage the applicant garage in the conducting the city improvements (trenching, filling, compaction, etc.) The building proximity to the street may also present difficulties for traffic, fire service and snow plowing.

Alternative Options:

Both the March and May site plans demonstrate that the construction of a two car garage and the applicant's proposed location on the lot requires street side variances that the City Staff cannot support.

The applicant currently has a legal nonconforming single car garage that is in a deteriorating condition and does not address the storage needs of the property owner. As a legal nonconforming building the garage may be razed and rebuilt in the same location, in the same size and configuration of what exists today. The rebuilding of the existing garage would not allow the second story addition.

An option that may be considered in the reconstruct of a new single car garage oriented to the south with a second story living space. The Standard Single car garage is 12 feet wide, with a garage door ranging in width of 8 to 9 feet. With this design the new addition would provide a street side setback ranging from 9 feet at the northeast garage corner to 11 feet from the southeast corner of the garage measured to the property line (not the street pavement) according to the submitted site plan.

The aforementioned single car garage option offers the following benefits:

1. The current garage needs to be replaced due to the structural issues. The single car option will allow for the replacement of the garage and second story living space. The design of the garage may offer expanded storage over the existing garage.
2. The expanded setback will aid in the City's future street and utility improvement project for Black Lake Road.
3. The expanded setback will provide addition area for snow storage and better protection for the new garage.
4. The southern orientation of the garage will eliminate the direct access and egress into the garage; improving traffic safety along this very narrow street.
5. The increased street side setback improves on an existing legal nonconforming condition that may be reestablished if the alternative variance is not considered.

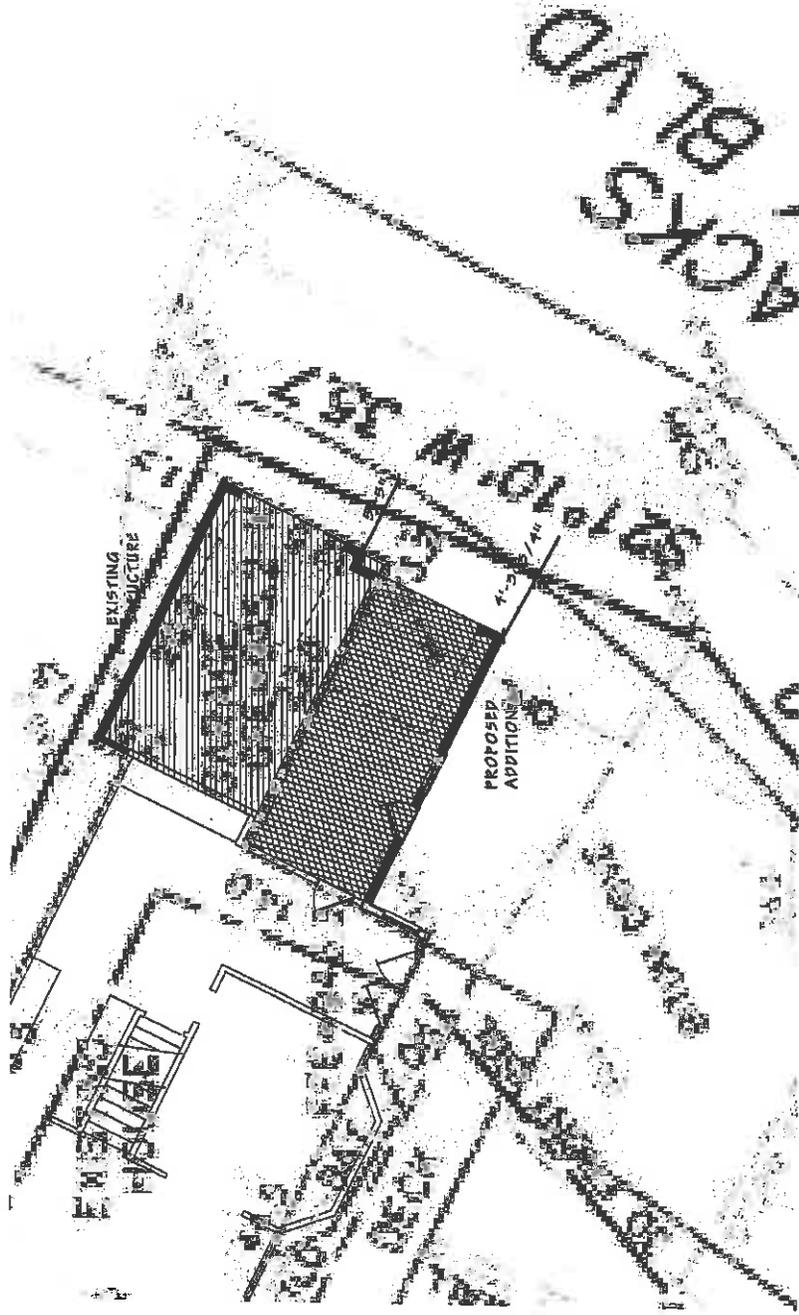
CONCLUSION:

The April 23, 2020 planning report outlines the findings for denying the requested variance. These findings again apply to both the March site plan the newly submitted May site plan. Staff would recommend denial of the variance request illustrated in both of these site plans per the staff findings.

If the alternative concept of a single car garage with the door oriented to the south is acceptable to both the applicant and the planning commission, staff recommends approval of a street side setback of 9 feet to the garage's northeast corner and 11 feet to the garage's southeast corner as shown in Exhibit C of this report with the following conditions.

1. The applicant shall provide a survey or identify the property line monuments for the east lot line to verify the requested setback variances prior to issuance of building permits.
2. The applicant shall submit a revised site and building plans that illustrates the single garage design and site layout with confirmed lot boundaries and illustrating the approved setback variances. Said plans shall be reviewed by City Staff for compliance with the conditions of the approved variance.
3. All new exterior finishes shall match in color and material type to the existing home.
4. The applicant shall replace the hard cover between the garage and street with landscaping or a pervious surface to reduce the percentage of hard cover on the lot.
5. Direct access onto Black Lake Road is prohibited; the garage must be access from the south side of the garage with all access and egress movements occurring on private property.

Cc: Theresa Schyma
Brian Hare
Mary Tietjen
Gregg and Carol Steiger



Plot Plan
SCALE: 1/8" = 10'

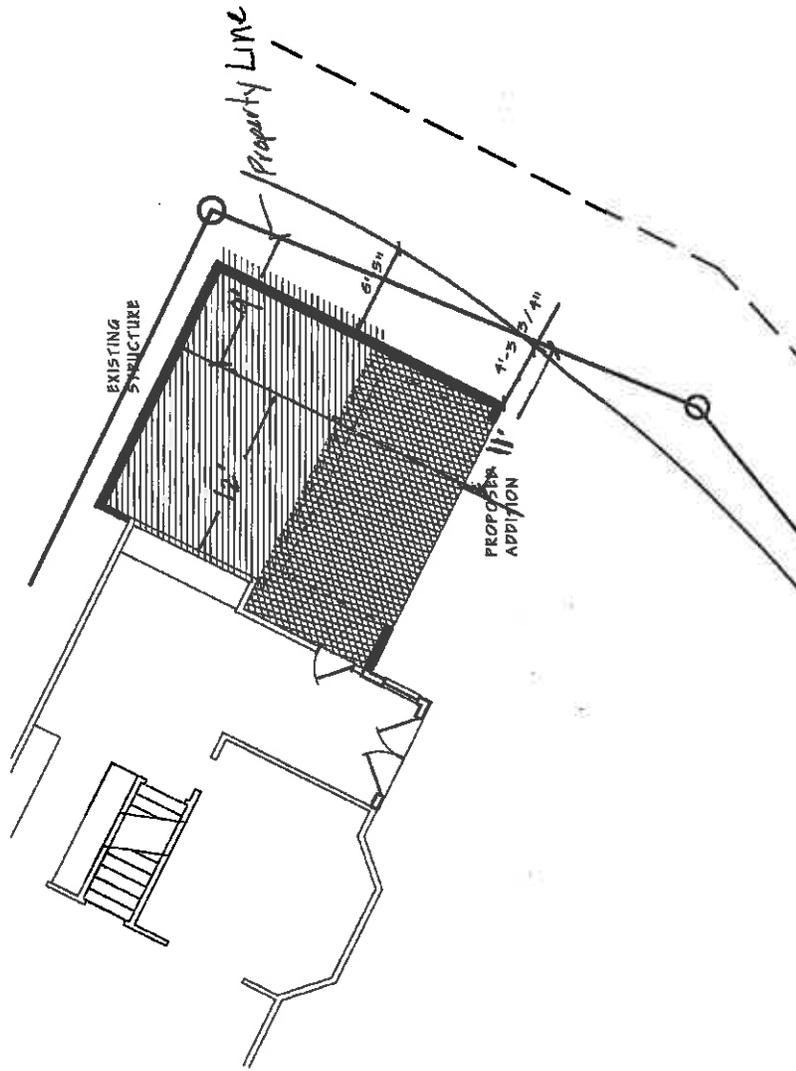
EXHIBIT A

SHEET 1
of 5

Date: 3-14-2020

Hart's Design
New Home & Remodeling Design
952 - 828 - 9906
Eden Prairie, MN 55346
HartDesign@comcast.net

Residence/
Homeowner
Steiger Residence
2463 Black Lake Rd.
Spring Park, MN 55984



Plot Plan
SCALE: 1/8" = 1'-0"

EXHIBIT C

SHEET 1
of 5

Date: 5-30-2020

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New Home & Remodeling Design
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