



CITY OF SPRING PARK
PLANNING COMMISSION AGENDA
APRIL 10, 2024 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
2. APPROVAL OF MINUTES
 - a. January 10, 2024, Planning Commission Minutes
3. AS BUILT SURVEYS
 - a. Staff Report
 - b. Proposed Ordinance #24-XX – As Built Survey's
 - c. Public Hearing
4. MISCELLANEOUS
5. ADJOURNMENT



CITY OF SPRING PARK
PLANNING COMMISSION MINUTES
JANUARY 10, 2024 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER

The meeting was called to order at 6:00p.m.

Chair Hoffman and Commissioners Avalos and Mason were present. Commissioners Homan and Terryll were absent.

Staff Present: City Administrator Anderson and City Planner Lori Johnson from WSB

2. APPROVAL OF MINUTES

a. July 12, 2023, Planning Commission Minutes

Commissioner Mason motioned, being seconded by Chair Hoffman, to approve the planning minutes as presented.

On vote being taken, the motion was unanimously approved.

3. AS BUILT SURVEYS

City Planner Lori Johnson presented the background on as-built surveys, what they were, and why we should require them. Johnson's recommendation was to create a policy requiring as-built surveys for applications such as remodels, variances, tear downs, new construction, etc. that are not part of a subdivision prior to the Cert. of Occupancy being approved. Chair Hoffman questioned why we would have a policy to cover one application and an Ordinance to cover another, why not create an Ordinance that covers all applications. The language in the Ordinance was revised as it was not clear on the requirement for surveys v. plans or drawings.

The City Planner and the City Administrator will create a draft policy to cover and present at the next Planning Commission meeting to address the applications that would not fall under a subdivision.

At 7:01p.m., Commissioner Hoffman opened the public hearing.

With no comment from the public, at 7:02p.m., Commissioner Mason motioned, being seconded by Commissioner Avalos, to close the public hearing. On vote being taken, the motion was unanimously approved.

Chair Hoffman motioned, being seconded by Commissioner Mason, to approve the language in the Ordinance, Article III – Subdivision/Platting, Sec. 42-104, As-Built Requirements, replacing the language “as-built drawings” with “as-built surveys”, and removal of bullet item #3. On roll call vote, Mason – yes, Avalos – yes, Hoffman – yes.

4. MISCELLANEOUS

Commissioner Mason would like a Spring Park flag. City Administrator Anderson will research and see if we can have one made.

5. ADJOURNMENT

After no further discussion, Commissioner Mason motioned, being seconded by Commissioner Avalos, to adjourn the meeting at 7:09p.m. On vote being taken, the motion was unanimously approved.

Memorandum

To: Mike Anderson, City Administrator

From: Lori Johnson, Consulting Planner, WSB

Date: March 26, 2024

Re: Ordinance Revision Regarding As-Built Requirements
WSB Project No. 024509-000

At the January Planning Commission meeting, the Planning Commission debated a proposed ordinance pertaining to future subdivisions and as-built survey requirements. The proposed ordinance would require all persons subdividing and developing property in the city to submit as-built surveys of all required improvements associated with the subdivision. This includes the requirement to submit as-built surveys prior to a certificate of occupancy for homes on each lot in the subdivision.

The Planning Commission debated the language of the proposed ordinance and the following ordinance language was approved by the Planning Commission on January 10, 2024.

Sec. 42-104—As-Built Requirements

As-built surveys shall be furnished to the city by the subdivider of all required improvements upon their completion and prior to a certificate of occupancy for each home/structure or building addition that is part of such subdivision. Such as-built surveys shall be certified to be true and accurate by the registered engineer responsible for the installation of improvements. As-built surveys shall include the following:

- *Shall certify the final topography of the site.*
- *Shall verify the drainage patterns existing upon completion of work.*
- *Shall include calculations of setback information for all structures and hard surfaces/groundcover.*
- *As-built surveys must be approved prior to placement of trees, sod, and lawn irrigation systems.*
- *Shall include any additional information needed by the city to ensure compliance with code.*

As indicated at the Planning Commission meeting, it was initially staff's intention to establish a policy for the submission of as-builts prior to the certificate of occupancy being issued for new homes regardless of whether a subdivision was being requested. After further consideration and review, it has been determined that a second ordinance amendment would be clearer and more effective.

Article IV, Division 5 (Certificate of Occupancy), Sec. 42-210 states the following:

“No building or structure hereafter erected or moved, or that portion of an existing structure or building erected or moved shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the building official

stating that the building or structure complies with all of the provisions of this chapter. Said certificate shall be applied for coincident with the application for a building permit, conditional use permit, and/or variance and shall be issued within ten days after the building official shall have found the building or structure satisfactory and given final inspection.”

Sec. 42-211 is considered “reserved” in the ordinance, meaning that this section of the ordinance is reserved for additional language as required. It is being proposed at this time that the following language for Sect. 42-211 be established in the zoning ordinance:

“As-built surveys shall be furnished to the city by the subdivider of all required improvements upon their completion and prior to a certificate of occupancy for each home/structure or building addition that is part of such subdivision. Such as-built surveys shall be certified to be true and accurate by the registered engineer responsible for the installation of improvements. As-built surveys shall include the following:

- Shall certify the final topography of the site.
- Shall verify the drainage patterns existing upon completion of work.
- Shall include calculations of setback information for all structures and hard surfaces/groundcover.
- As-built surveys must be approved prior to placement of trees, sod, and lawn irrigation systems.
- Shall include any additional information needed by the city to ensure compliance with code.”

You can see that this is the same language proposed for subdivision portion of the code. Once again, this provides consistency throughout the ordinance and it allows the city to require the as-builts upon the publication of the ordinance.

It is recommended that you recommend approval to the City Council of the additional code language for Article IV, Division 5 (Certificate of Occupancy), Sec. 42-211 as stated above and as stated in the attached draft ordinance.

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

ORDINANCE NO. 24-XX

**AN ORDINANCE AMENDING CHAPTER 42, ZONING/SHORELAND ORDINANCE OF
THE SPRING PARK, MINNESOTA CITY CODE ADDING ARTICLE IV, DIVISION 5,
SECTION 42-211 AND AMENDING THE ZONING CODE REGARDING AS-BUILT SURVEY
REQUIREMENTS WITHIN SPRING PARK MINNESOTA**

SECTION 1: The Spring Park, Minnesota City Code Chapter 42, Article IV, Section 42-211 is hereby amended to add the following regarding as-built survey requirements in the subdivision code:

ARTICLE III. – SUBDIVISION/PLATTING

Sec. 42-211. –As-Built Requirements.

As-built surveys shall be furnished to the city by the subdivider of all required improvements upon their completion and prior to a certificate of occupancy for each home/structure or building addition that is part of such subdivision. Such as-built surveys shall be certified to be true and accurate by the registered engineer responsible for the installation of improvements. As-built surveys shall include the following:

- Shall certify the final topography of the site.
- Shall verify the drainage patterns existing upon completion of work.
- Shall include calculations of setback information for all structures and hard surfaces/groundcover/impervious.
- As-built surveys must be approved prior to placement of trees, sod, and lawn irrigation systems.
- Shall include any additional information needed by the city to ensure compliance with code.

SECTION 2. Effective Date. This ordinance shall be in full force and effect immediately upon its adoption and publication.

ADOPTED by the City of Spring Park this day XX of April, 2024.

CITY OF SPRING PARK

By: _____

Jeff Hoffman, Mayor

ATTEST:

By: _____

Mike Anderson, City Administrator



CITY OF SPRING PARK
NOTICE OF A PUBLIC HEARING

Notice is hereby given that the Spring Park Planning Commission will hold a public hearing at 6:00 p.m. or as soon thereafter on Wednesday, April 10, 2024, at Spring Park City Hall, located at 4349 Warren Avenue, to discuss amending Article IV (Administration) of the city's Code of Ordinances by amending section 42-210 (Certificate of Occupancy).

This new section will require all persons constructing a building or building addition that requires a building permit to submit as-built surveys of all required finished site improvements prior to the issuance of a certificate of occupancy.

Notice is further given that any written or oral comments from citizens regarding the change will be heard at the public hearing. All interested persons are invited to attend the meeting and will be afforded the opportunity to speak during the public hearing.

Jamie Hoffman

Spring Park City Clerk

Date of Publication:

March 16, 2024