

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on June 28, 2021 at the City Hall, at 7:00 PM

1. CALL TO ORDER

Chairperson Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Chairperson Hans Hansen
Commissioner Jeff Bernhagen
Commissioner Rick Cobbs
Commissioner Doug Eischens
Commissioner Eric Julien

MEMBERS ABSENT

Commissioner Aisha Ali

STAFF PRESENT

Building Official Jeff Baker and Administrator Daniel Buchholtz

VISITORS

Kelsey and Ryan Hollihan, 518 Rosedale Road NE
Kathy and Aaron Buck, 532 Rosedale Road NE
Gerald Sallberg, 517 Rosedale Road NE
Kaylea Hicks, 531 Rosedale Road NE
Jim Sorman, 500 80th Avenue NE
Brad Delfs, Spring Lake Park City Council

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes for March 22, 2021 Meeting

Motion made by Commissioner Eischens, seconded by Commissioner Bernhagen, to approve the March 22, 2021 meeting minutes.

Voting Yea: Chairperson Hansen, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

5. PUBLIC HEARINGS

A. Public Hearing - Variance Application - Kelsey and Ryan Hollihan - 518 Rosedale Rd NE

Administrator Buchholtz reviewed the staff memo. He stated that Kelsey and Ryan Hollihan have submitted a variance application to encroach 12 feet into the front yard setback in order to permit the construction of 12 foot by 44 foot covered porch, with storage constructed below the porch that would be accessible from the basement.

Kelsey Hollihan, 518 Rosedale Road NE, reviewed the application, explaining that they would like to construct a solid concrete bunker below the porch to accommodate storage for inventory and paperwork from her Federal Firearms Licensed (FFL) business. She stated that the covered porch would be constructed above the bunker, extending the full width of the house. She said the covered porch would be otherwise open. She said that without the variance, she and her family would need to move.

Commissioner Eischens inquired if there was a commercial area they could rent for storing inventory. Ms. Hollihan stated that she inquired a number of places but was unable to find a commercial property owner who would rent to an FFL. She stated that their only option would be to construct their own commercial building.

Commissioner Cobbs inquired whether there is adequate parking on the site. Ms. Hollihan stated that they have one commercial trailer that they park on site. Building Official Baker stated that he reviewed the file and was unable to find any record of complaints of parking violations by the applicant.

Chairperson Hansen asked which firm was doing the design work. Ryan Hollihan, 518 Rosedale Road NE, stated that RSPR Architects would be drafting the engineered construction plans for the porch addition.

Chairperson Hansen opened the public hearing at 7:17pm.

Administrator Buchholtz stated that the City had received two letters referencing the project. He said the first letter was from Brad Meyer, Co-coach for the Spring Lake Park Trap Team, who expressed support for the variance. He said the second letter was from Gerald Sallberg, 517 Rosedale Road, expressing opposition to the variance. He said that both letters have been included with the official record. Both letters were distributed to members of the Planning Commission.

Kathy Buck, 532 Rosedale Road NE, stated her opposition to the variance. She stated that the size does not fit well with the aesthetic of the business. She stated that the porch would be a visual obstruction from her home to the street. She asked where vehicles would park once the addition was constructed. She expressed concern about where snow would

be deposited once a significant portion of their front yard would be taken up by the porch addition.

Kaylea Hicks, 531 Rosedale Road NE, stated that it took several years for her to know that there was a business operating from their home. She expressed her support, stating that it is important for the City to retain businesses in an effort to keep taxes lower for all residents. She stated that she believes the improvements will have a positive impact on the aesthetics of the neighborhood.

Jim Sorman, 500 80th Avenue NE, said that the applicant works hard to keep up their property. He stated that he did not believe the 12 foot porch would have a negative impact on the neighborhood. He stated that the project would be an improvement and encouraged approval of the variance.

Gerald Sallberg, 517 Rosedale Road, expressed concern about the parking of trailers on the street and that they block his mailbox. He stated that the 12 foot addition would impact resident parking, pushing more vehicles onto the street.

Hearing no further public comment, Chairperson Hansen closed the public hearing at 7:30pm.

Commissioner Eischens expressed his opinion that granting the variance would negatively impact the neighborhood as the home would no longer be compatible with other homes in the neighborhood. Commissioner Eischens stated that the difference between previous variances and the current request is that the previous variances were for rear yard setbacks.

Commissioner Cobbs stated that he did not believe the 12 foot variance would significantly change the neighborhood. He said that the Commission has, in the past, discussed the challenges of bringing 1960s era homes to meet current expectations of homeowners and that the variance request is consistent with that philosophy.

Commissioner Bernhagen inquired if there was a concept drawing. Ms. Hollihan responded no, stating that they did not want to spend significant money on drawings only to have the City reject the application.

Administrator Buchholtz inquired as to the smallest variance required to meet their needs. Mr. Hollihan stated that they could make the project work with a 10 foot front yard variance, but any narrower than that would result in the creation of a tunnel rather than a storage room.

Commissioner Julien stated that he can respect the opinions of those who support and oppose the proposed variance. He noted that while it may look aesthetically out of place in the neighborhood, he respects the investment the homeowners have made to the property and their desire to make it functional to meet their needs. Mr. Hollihan stated that they have made significant investments to the property, including replacing all of the trusses

supporting the roof. Ms. Hollihan stated that the property is painted a bright red color that already stands out in the neighborhood.

Motion made by Commissioner Eischens, seconded by Commissioner Bernhagen, to recommend denial of the variance application finding that the proposed variance would negatively impact the character of the neighborhood as all of the homes on the north side of Rosedale Road are lined

Voting Yea: Commissioner Bernhagen, Commissioner Eischens. Voting Nay: Chairperson Hansen, Commissioner Cobbs, Commissioner Julien. Motion failed 2-3.

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to recommend approval of the proposed 12 foot front yard variance, with the following conditions: 1) the covered porch must be architecturally compatible with the existing home (siding, roof pitch, roof material and the like) and must comply with all other requirements as set forth in the City's Zoning Code and 2) applicant must apply for all building permits as required.

Voting Yea: Chairperson Hansen, Commissioner Cobbs, Commissioner Julien. Voting Nay: Commissioner Bernhagen, Commissioner Eischens. Motion carried 3-2.

B. Public Hearing - Ordinance Amending Chapter 16 of the City Code Establishing Specific Development Standards for Bulk Deicer Storage Facilities

Administrator Buchholtz reviewed the staff memo. He stated that the proposed ordinance establishes performance standards for new or expanded bulk deicer storage facilities. He stated that the proposed ordinance is a requirement for the City's new Municipal Separate Storm Sewer System (MS4) permit.

Chairperson Hansen opened the public hearing at 7:40pm. Hearing no public comment, Chairperson Hansen closed the public hearing at 7:41pm.

Motion made by Commissioner Eischens, seconded by Commissioner Julien, to recommend approval of an Ordinance Amending Chapter 16 of the City Code Establishing Specific Development Standards for Bulk Deicer Storage Facilities.

Voting Yea: Chairperson Hansen, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

6. OTHER

A. Administrator Reports

Administrator Buchholtz reported that Hy-Vee opened on May 25, 2021 to great fanfare. He stated that the intersection improvements at the intersection of 81st Avenue and Highway 65 appear to be acceptably handling the new traffic from Hy-Vee. Administrator

Buchholtz stated that the City is awaiting construction to start on the new assisted living/memory care facility at 525 Osborne Road.

7. ADJOURN

Motion by Commissioner Julien, seconded by Commissioner Bernhagen, to adjourn.

Voting Yea: Chairperson Hansen, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

Meeting adjourned at 7:50pm.