

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on October 25, 2021 at the City Hall, at 7:00 PM

1. CALL TO ORDER

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

2. ROLL CALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Commissioner Aisha Ali

STAFF PRESENT

Building Official Jeff Baker; Administrator Daniel Buchholtz; Planner Lauren Walburg, Stantec

OTHERS PRESENT

John Clark, 790 Manor Drive
Mike Sowers, Commercial Investors Group LLC

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes - September 27, 2021

Motion made by Commissioner Bernhagen, seconded by Commissioner Julien, to approve the minutes from the September 27, 2021 Planning Commission meeting.

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

5. PUBLIC HEARING

A. Public Hearing - Front Yard Variance - 790 Manor Drive

Administrator Buchholtz provided an overview of the request from John Clark. He stated that John Clark was seeking a variance from the 35 foot front yard setback requirement to

accommodate a small landing and entry stairs at the front door of the house. He stated that while Section 16.20.080(H)(1) permits a porch to encroach into the required front yard setback, there is a six foot limit for the encroachment, which is already being utilized by the entry into the home. He said the dimensions of the additional encroachment are 8 feet 5 inches wide by 7 feet 8 inches long.

Administrator Buchholtz stated that staff is recommending approval of the variance application with the following condition: applicant must apply for all building permits that are required.

Chair Hansen opened the public hearing at 7:05pm.

John Clark, 790 Manor Drive, stated that he is replacing the current builder step with this small landing/stairway addition. He stated that he believes the front step will fit with the aesthetic of the property.

Chair Hansen inquired as to the length of construction. Mr. Clark stated that he anticipated completing construction within two weeks.

Hearing no further public comment, Chair Hansen closed the public hearing at 7:08pm.

Motion made by Commissioner Eischens, seconded by Commissioner Cobbs, to recommend approval of a front yard variance at 790 Manor Drive, subject to the following condition: applicant must apply for all building permits that are required.

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

B. Public Hearing - Preliminary Plat Application - 1628 County Road 10 NE

City Planner Walburg provided an overview of a request from Brian Scholten, SLPH10, LLC, for preliminary and final plat of properties at 1628 and 1638 County Road 10 NE, all in the Warren Addition, platted in 1951. She stated the application covered the following lots: Lots 12-15 and Lots 29-32, Warren Addition (inclusive). She noted that the plat also includes a 33 foot segment of vacated right-of-way from McKinley Street.

Planner Walburg stated that the new Atlas Commercial Park plat will consist of four lots, along with an access easement over Lot 2 to provide cross access and parking among all four lots and buildings. She noted that dividing lots into a different arrangement with an access easement makes sense and is frequently done for commercial properties. She stated that the plat involved a rearrangement of lots and that there is no building, grading or other construction work proposed on site with the plat.

Planner Walburg stated that staff is recommending approval of the preliminary and final plat for Atlas Commercial Park as submitted, with the following conditions: 1) revise ALTA survey to include the location of existing sanitary sewer and water services for each building; 2) provide a

copy of an agreement covering the cross use and maintenance responsibilities for the sanitary sewer and water services on the site. This is particularly important for any existing piping that may be located under an existing structure or that will be used by more than one building; 3) along the southwest edge of the site, provide an access to the existing sanitary sewer manhole for city maintenance vehicles. This can include either removal of a portion of the existing fence or the installation of a gate in the existing fence; 4) include a 33-foot wide drainage and utility easement along the entire southwest edge of the site; and 5) provide all materials required by Chapter 14, Subdivision Control, of the Spring Lake Park City Code prior to submission of final plat for recording. She stated that the proposed lots and easements in Atlas Commercial Park are reasonable and appropriate for the property involved and SLPH10, LLC has submitted materials for a preliminary and final plat that meet the requirements of the City's subdivision ordinance.

Chair Hansen opened the public hearing at 7:15pm. Hearing no public comment, Chair Hansen closed the public hearing at 7:16pm.

Motion made by Commissioner Cobbs to recommend approval of the preliminary plat application for Atlas Commercial Park as submitted, with the following conditions: 1) revise ALTA survey to include the location of existing sanitary sewer and water services for each building; 2) provide a copy of an agreement covering the cross use and maintenance responsibilities for the sanitary sewer and water services on the site. This is particularly important for any existing piping that may be located under an existing structure or that will be used by more than one building; 3) along the southwest edge of the site, provide an access to the existing sanitary sewer manhole for city maintenance vehicles. This can include either removal of a portion of the existing fence or the installation of a gate in the existing fence; 4) include a 33-foot-wide drainage and utility easement along the entire southwest edge of the site; and 5) provide all materials required by Chapter 14, Subdivision Control, of the Spring Lake Park City Code prior to submission of final plat for recording.

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

C. Public Hearing - Ordinance Amendment - Sections 16.36.10, 16.64.010 and 16.64.040 relating to Daycare Facilities

Administrator Buchholtz presented a proposed amendment to remove adult daycare uses from the specific performance standards outlined in 16.36.10 of the Spring Lake Park City Code. He stated that the proposed ordinance would keep adult day care facilities as a conditional use in the C1, C2 and C3 zoning districts, allowing the Planning Commission to place reasonable conditions based on each application's particular situation.

Chair Hansen opened the public hearing at 7:20pm. Hearing no public comment, Chair Hansen closed the public hearing at 7:21pm.

Commissioner Julien appreciated staff addressing this code amendment in a proactive way so the City is better prepared to review an adult daycare facility use in the future.

Motion made by Commissioner Eischens, seconded by Commissioner Julien, to recommend approval of an amendment to the zoning ordinance amending Sections 16.36.10, 16.64.010 and 16.64.040 relating to daycare facilities.

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

6. UNFINISHED BUSINESS

A. Conditional Use Permit for Market/Boutique Shop and Office - 8409-8421 Center Drive

Administrator Buchholtz reported that staff researched the issue raised by LSV Metals about access to the rear of the buildings located at 8409-8421 Center Drive. He stated that there is two easements, one on the north end of 8427 Center Drive and one on the south end of 8407 Center Drive, providing access to the rear of the building at 8409-8421 Center Drive. He stated that with the rear building access question solved, there appears to be adequate parking for the proposed retail use.

Commissioner Bernhagen inquired about deliveries. Administrator Buchholtz restated the applicant's intention to accept deliveries at the front of the building.

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to recommend approval of a Conditional Use Permit for Market/Boutique Shop and Office at 8421B Center Drive, subject to the following conditions: 1) the applicant shall apply for and receive all applicable building and signage permits prior to beginning work 2) the applicant shall ensure that any customer and employee cars are parked only in spots designated for use by Shashe Market. If parking becomes a problem, in the City's opinion, the City reserves the right to revisit the Conditional Use Permit and impose conditions or limit the use of the site.

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

7. OTHER

A. Application Withdrawal - CUP for Adult Daycare at 1330-1334 81st Avenue NE

Administrator Buchholtz noted that Maftuha Hassan, Peaceful Adult Day Center LLC, withdrew their application for a conditional use permit for an adult daycare facility at 1330 and 1334 81st Avenue NE.

B. Administrator Report

Administrator Buchholtz noted that Executive Assistant Gooden left her position in May and that the City is now recruiting for a Deputy City Clerk. He encouraged Commissioners to encourage prospective candidates they knew to apply.

8. ADJOURN

Motion made by Commissioner Julien, seconded by Commissioner Eischens, to adjourn.

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

The meeting was adjourned at 7:35 PM.