

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on September 23, 2024 at the Able Park Building, 8200 Able Street NE 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 Rick Cobbs
Commissioner Brad Delfs
Commissioner Eric Julien
Chair Hans Hansen

MEMBERS ABSENT

Commissioner Sharon Weighous
Commissioner Kelsey Hollihan

STAFF PRESENT

Building Official Jeff Baker and Administrator Daniel Buchholtz

VISITORS

Carrie Klakeg, 1 st Choice Builders	157 St. Croix Trail N	Lakeland Mn 55043
Rich Pocarelli	8035 Hayes Street NE	Spring Lake Park MN 55432

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes – August 26, 2024 Meeting

Motion made by Commissioner Julien, seconded by Commissioner Cobbs, to approve the minutes from August 26, 2024 Planning Commission meeting.

Voting Aye: Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen.
Motion carried.

5. PUBLIC HEARING

A. Public Hearing – Variance and Conditional Use Permit Request to Permit a Two-Family Dwelling for an In-Law Suite, Including Variances for Minimum Lot Size and Side Yard Setback

Administrator Buchholtz that the City received an application from 1st Choice Builders, LLC, on behalf of property owner, Julie Caffari, 8031 Hayes Street NE for a conditional use permit to allow a two-family dwelling in the R-1 zoning district and variances from the minimum lot size required for a two-family dwelling and a variance from the side yard setback for an in-law suite for an elderly family member.

Administrator Buchholtz stated that the square footage of the lot is 11,249.50 square feet, or 3,750.50 square feet below the performance standard as set forth by City Code. He said that the applicant is also seeking a variance from the 10-foot side yard setback requirement on the south side of the house behind the garage. Administrator Buchholtz noted that the relocation of the deck stairs to the south side will encroach upon the setback, making a variance necessary.

Administrator Buchholtz stated the request is reasonable because it involves modifying a single-family home to create an in-law suite for an elderly family member. He noted that the use is consistent with the residential nature of the property and aligns with the character of the R-1 zoning district. He stated that the request supports multi-generational living, a common and increasingly supported residential arrangement, while the relocation of the deck stairs improves safety and accessibility without significantly altering the property's footprint.

Administrator Buchholtz stated that the current lot size does not meet the minimum requirements for a two-family dwelling under the current zoning regulations, therefore, making it impossible to accommodate the in-law suite without a variance. He noted that the existing placement of the house on the lot and the required side setback limit the possibility of expanding the structure.

Administrator Buchholtz said granting the variance will not alter the essential character of the locality. He stated that the proposed addition is designed to match or complement the existing structure, ensuring it blends seamlessly with the neighborhood's architectural style. He stated that the variance allows the homeowner to enhance the property in a manner that aligns with the neighborhood's character and the intent of the zoning regulations.

Administrator Buchholtz stated that if the variance is granted, staff believes that the use will qualify for a conditional use permit. He stated that the project is necessary for the homeowner to provide a safe and suitable living arrangement for an elderly family member, contributing to the general welfare by supporting multi-generational living within the community. He stated that the project is designed to be compatible with the surrounding neighborhood, ensuring that the changes will not be detrimental to the health, safety, or general welfare of residents in the vicinity.

Staff recommends approval of the variances and conditional use permit with the following conditions:

1. The in-law suite shall not be licensed or utilized as a rental property for non-family members. This suite is intended solely for the accommodation of family members and

- shall not be leased or rented to individuals outside of the property owner's immediate family. This condition is to preserve the residential character of the neighborhood and uphold the intent of the variance and conditional use permit.
2. Exterior materials, design and color of the addition and deck must match or complement the existing structure to ensure architectural consistency. This includes using similar siding, roofing materials, trim and window styles to maintain the visual coherence of the property.
 3. Any existing landscaping that is disturbed or removed during construction must be replaced or restored to its original condition or better.
 4. The applicant must ensure that the addition does not negatively impact the natural drainage system. Proper grading and drainage must be maintained to direct water away from the foundation and adjacent properties. Any changes to the property's topography or drainage patterns must be reviewed and approved by the City Engineer.
 5. Any new exterior lighting installed as part of the addition should be downward-facing and shielded to minimize light spillover onto adjacent properties. The lighting should comply with the City's exterior lighting regulations to ensure it does not create a nuisance for neighboring residents.
 6. The addition and deck must comply with all applicable building, safety, and fire codes. This includes ensuring that the addition is constructed according to the approved plans and meets egress, fire separation, and other safety requirements.
 7. Any existing mature trees or significant vegetation near the construction site should be preserved where possible. If removal is necessary, the applicant must replace the vegetation with appropriate species to maintain the property's aesthetic and environmental quality.

Applicant Carrie Klakeg, 1st Choice Builders, project manager on the addition at 8301 Hayes Street NE stated that the project stated that they call it an in-law suite, but there's not an actual separate entrance for this project. Ms. Klakeg stated it is called an in-law suite for the homeowner's benefit and that it would never be rented. She noted that the additional space basically mimics what is already present, enlarging the deck above.

Commissioner Cobbs inquired if the conditional use permit was necessary since it just looks like an additional bedroom is being added to the property. Ms. Klakefg said that there is just a guest bedroom with a closet. Building Official Baker stated that he was wondering if the lower level was going to have a kitchen based off the plans. Ms. Klakeg stated that it is a bar with a sink. Administrator Buchholtz noted that the according to the City Planner that whenever you have water, if adding a refrigerator, the area turns into a second family dwelling.

Chairperson Hansen inquired whether additional parking would be needed with an additional person occupying the home. Ms. Klakeg stated that there is a large garage with a separate stall on the side that would accommodate the additional resident.

Chairperson Hansen opened the public hearing at 7:16 pm

Mr. Rich Pocrelli, 8035 Hayes Street NE, inquired about a request for a waiver on the side yard setback and how does that work for the stairs? Mr. Baker stated that the setback would be seven feet from the edge of the stairs to the property.

Chairperson Hansen closed the public hearing at 7:18 pm

Motion made by Commissioner Cobbs, seconded by Commissioner Julien to Approve Variance and Conditional Use Permit Request to Permit a Two-Family Dwelling for an In-Law Suite, Including Variances for Minimum Lot Size and Side Yard Setback with the following conditions:

1. The in-law suite shall not be licensed or utilized as a rental property for non-family members. This suite is intended solely for the accommodation of family members and shall not be leased or rented to individuals outside of the property owner's immediate family. This condition is to preserve the residential character of the neighborhood and uphold the intent of the variance and conditional use permit.
2. Exterior materials, design and color of the addition and deck must match or complement the existing structure to ensure architectural consistency. This includes using similar siding, roofing materials, trim and window styles to maintain the visual coherence of the property.
3. Any existing landscaping that is disturbed or removed during construction must be replaced or restored to its original condition or better.
4. The applicant must ensure that the addition does not negatively impact the natural drainage system. Proper grading and drainage must be maintained to direct water away from the foundation and adjacent properties. Any changes to the property's topography or drainage patterns must be reviewed and approved by the City Engineer.
5. Any new exterior lighting installed as part of the addition should be downward-facing and shielded to minimize light spillover onto adjacent properties. The lighting should comply with the City's exterior lighting regulations to ensure it does not create a nuisance for neighboring residents.
6. The addition and deck must comply with all applicable building, safety, and fire codes. This includes ensuring that the addition is constructed according to the approved plans and meets egress, fire separation, and other safety requirements.
7. Any existing mature trees or significant vegetation near the construction site should be preserved where possible. If removal is necessary, the applicant must replace the vegetation with appropriate species to maintain the property's aesthetic and environmental quality.

Voting Aye: Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen.
Motion carried.

6. NEW BUSINESS

A. Review Acquisition of Properties for Conformance to the City of Spring Lake Park 2040 Comprehensive Plan

Administrator Buchholz stated that the City Council is considering the acquisition of two properties at 8076 Highway 65 NE and 8092 Highway 65 NE to complete the redevelopment area outlined in the City's long-term vision. He stated that as part of the law, specifically statute 462.356, provides the planning commission an opportunity to determine if the proposed property acquisitions are in conformance with the City's comprehensive plan.

Administrator Buchholtz noted that the targeted redevelopment area is at the southwest corner of Highway 65 and 85th Avenue. He stated that funding for these acquisitions will come from the city's HRA access fund and a grant from Anoka County Housing and Redevelopment Authority. He said the plan advocates for revitalizing underutilized properties to eliminate blight, boost the tax base, and minimize impacts on neighboring areas.

Administrator Buchholtz stated the proposed properties, which are highly visible and accessible, are considered ideal for redevelopment. He said 2040 Comprehensive Plan has been provided for the Commission's review, and it is recommended that the commission approve or support these acquisitions to help the city achieve its redevelopment objectives and further the council's vision.

Commissioner Cobbs asked if there were any future plans. Administrator Buchholtz stated that there are no specific projects in mind, and the City will be acquiring the properties subject to the leases. He said that the City will likely not have full control of the property until 2033.

Chair Hansen inquired about the funds from the leases will be used. Administrator Buchholtz stated that the lease revenues will be deposited into the HRA Excess Fund for future economic development initiatives.

Motion made by Commissioner Julien, seconded by Commissioners Cobbs to determine that the acquisitions follow the City's Comprehensive Plan.

Voting Aye: Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen.
Motion carried.

7. OTHER

Administrator Buchholtz gave an overview on the Metropolitan Council's policy plan to support the 2050 Comprehensive Plan. He stated that the Metropolitan Council has issued its policy plan to support the 2050, comprehensive planning process across the metropolitan area. He noted that the Metropolitan Council was transitioning Spring Lake Park from the suburban classification to an urban edge classification, which would increase the required density for future development to be from five units an acre under the 2040 plan to 14 units an acre under the 2050 plan. Administrator Buchholtz stated that he

worked with the Metropolitan Council to get the City's suburban classification back. He stated that the City would be submitting comments by October 7, 2024.

Building Official Baker gave an update on the City Hall Renovation/Expansion project.

8. ADJOURN

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

Voting Aye: Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen.
Motion carried.

Meeting adjourned at 7:40 PM.