



PLANNING COMMISSION AGENDA
MONDAY, JANUARY 25, 2021
CITY HALL at 7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ELECT OFFICERS**
 - a. Chair
 - b. Vice Chair
- 5. APPROVAL OF MINUTES**
 - [A.](#) Approval of Minutes - November 23, 2020
- 6. PUBLIC HEARING**
 - [A.](#) Conditional Use Permit - Bethel City of Hope MN, 8485 Plaza Blvd NE
- 7. OTHER**
- 8. ADJOURN**

SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND
DISCUSSION FROM THE FLOOR

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81st Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.

CITY OF SPRING LAKE PARK RULES FOR PUBLIC HEARINGS

Public hearings are formal proceedings giving citizens an opportunity to express their concerns on a specific issue. Some issues on which the Planning Commission is required to hold public hearings include subdivisions, zoning changes, conditional use permits, and ordinance amendments.

The following format will be used to conduct a public hearing:

1. Planning Commission Chair opens the hearing.
2. City staff describes the proposal.
3. The applicant has an opportunity to further explain the proposal and respond to questions/ comments on the proposal from the Planning Commissioners.
4. Citizens will then have the opportunity to ask questions and/or comment on the proposed project.
 - a. Those wishing to comment are asked to limit their comments to 3 minutes
 - b. A group of residents wishing to have their collective opinions voiced may elect a spokesperson to represent them. The spokesperson may have a maximum of 10 minutes to express the views of the group.
 - c. People wishing to comment are asked to keep their comments succinct and specific.
5. After everyone wishing to address the subject of the hearing has done so, the Planning Commission Chair will close the hearing.
6. Planning Commissioners will have an additional opportunity to comment and ask questions on the issue.
7. The Planning Commission will make a formal recommendation on the issue to the City Council or defer decision pending additional information.

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on November 23, 2020 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

PRESENT

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

ABSENT

Commissioner Aisha Ali

STAFF PRESENT

Administrator Buchholtz

VISITORS

Corey England, Reprise Design
Olmedo Alvarado, 8370 Pierce Street NE

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes - September 28, 2020

Motion made by Commissioner Bernhagen, Seconded by Commissioner Julien to approve September 28, 2020 meeting minutes.

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

5. PUBLIC HEARING

A. Public Hearing for Conditional Use Permit and Variance at 8370 Pierce Street NE, Permitting an Auto Services Use in the C-2 Zoning District and Granting a Side Setback Variance for a Building Addition

Administrator Buchholtz reviewed the staff memo from City Planner Carlson. He reported that the City received applications for a Variance to construct an addition with a 5-foot variance to the side setback at 8370 Pierce Street NE. He reported that upon further view of the variance application a Conditional Use Permit would be required as well.

Corey England, Reprise Design, reported that the conditions that have been outlined with Planner's memo are very clear and the applicant will follow the conditions. He stated that the existing shed on the property will be demolished and will allow for a better opportunity for screening and stormwater management. He stated that the variance will allow for the building addition to be in line with the exiting building.

Commissioner Eischens inquired as what the hours of operation will be and how many employees there will be. Mr. Alvarado stated that the business will be open Monday through Friday, 8:00 AM – 6:00 PM, Saturday 8:00 AM – 1:00 PM, closed Sunday and have three employees.

Commissioner Cobbs inquired if the addition will take away space from the property as there are already numerous cars parked on the property, many of them unlicensed. He inquired if the vehicles will be worked on inside the building. Mr. Alvarado stated that many of the existing vehicles are ones that have not been picked up because of the pandemic and many are being stored for that reason. He estimated that eight cars per week will be repaired and worked on inside the building.

Commissioner Julien inquired if any of the employee vehicles are currently being parked on the street or if they will be in the future. Mr. Alvarado stated that none of the employee's park on the street and no vehicles will be parked in the street while they are in for repair.

Commissioner Cobbs inquired on the landscaping plans for the fence and whether it will be replaced or repaired. Mr. England stated that the landscaping plan has not been developed yet and the fence repairs or replacing will determined after investigating the project.

Administrator Buchholtz stated that the property has been a challenge in the neighborhood and expansion may bring much apprehension to the longtime residents. Mr. England stated that he feels with the removal of the shed on the west end of the property and the setback and screening of the building will make the property be appealing.

Commissioner Bernhagen inquired if Police Chief Ebeltoft had reviewed the application for security or lighting concerns. Administrator Buchholtz stated that he had not, however; if Chief Ebeltoft has concerns or conditions, they could be added at the Council meeting.

Administrator Buchholtz inquired if a security system is in place currently. Mr. Alvarado stated that there is one in place.

Commissioner Eischens inquired how many vehicles should be parked on the property. The consensus of the Commission was that 20 cars would be allowed including employee vehicles and drop off/pick up vehicles.

Administrator Buchholtz inquired if clients are dealership or private individuals. Mr. Alvarado stated that he accepts vehicles for both dealerships and private individuals, but he does a lot of dealership work.

Commissioner Eischens inquired if the stormwater runoff that previously ran towards the east will be corrected with this new plan. Administrator Buchholtz stated that he feels that there will be more green space and the swale will help deter that water flow.

Chairperson Hansen opened the Public Hearing at 7:30 PM. Hearing no discussion from the floor, Chairperson Hansen closed the Public Hearing at 7:30 PM.

Motion made by Commissioner Eischens, Seconded by Commissioner Cobbs to approve the Conditional Use Permit for building addition and site improvements at 8370 Pierce Street with the following conditions: 1.) The Conditional Use Permit applies to the use of the property assuming all setbacks and other Zoning Code standards are met, including the required 15 -ft side setback to the north side, without a variance. If a variance is approved for the north side setback of the building addition, that would be in addition to the conditions in the Conditional Use Permit; 2.) additional screening and landscaping on the west and south sides of the lot will be provided as depicted on the Concept Plan in the Planners report of 11-23-2020, to screen headlights and activity on site, such landscaping can be reviewed and approved by the City Planner and City Engineer before a building permit is granted; 3.) the new proposed asphalt parking area in the rear of the site will provide a 12 ft rear setback and a 14 ft south side setback as depicted on the Concept Plan in the Planners 11-23-2020 report, recognizing that there has been an existing legal non-conforming gravel parking area in the rear of the property; 4.) all work will be done within the building ; 5.) vehicles stored on site must display current license; 6.) damaged or inoperable vehicles, as well as parts and equipment, must be stored within the building or completely screened from the street and neighboring properties; 7.) additional lighting on the new building addition over the garage door and man door will be downcast, fully shielded fixtures allowing no more than 0.5 foot-candle of light beyond the property line; 8.) handling of odors, gas, and fumes will be reviewed and approved by the City Engineer and Building Official before a building permit can be issued; 9.) a stormwater drainage feature approximately 18 inches deep will be provided in the southeast corner of the site to be reviewed and approved by the City Engineer before a building permit is granted; 10.) all other grading, drainage, stormwater, utility, and engineering issues will be reviewed and approved by the City Engineer before a building permit is granted; 11.) a maximum of 20 cars, including employee cars, will be allowed to be parked on the property.

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

Motion made by Commissioner Cobbs, seconded by Commissioner Julien to approve a variance for a building addition at 8370 Pierce Street as depicted on the applicant's plans with the following conditions: 1.) the variance is conditioned on approval of a Conditional Use Permit for the site as described in the City Planner 11-23-2020 report and the applicant's supporting materials; 2.) the building addition will be constructed to be similar and compatible in appearance to the original building; 3.) screening and setbacks shall be provided on the west and south sides of the site as stipulated in the Conditional Use Permit; 4.) lighting on the building shall be as described by the applicant and approved in the Conditional Use Permit with the downcast shielded fixtures allowing no more than .05 foot-candle beyond the property line; 5.) grading, drainage, stormwater, utility and other engineering issues will be reviewed and approved by the City Engineer and Building Official before a building permit is issued; 6.) handling of odors, gas, and fumes will be reviewed and approved by the City Engineer and Building Official before a building permit is issued.

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

6. OTHER

Administrator Buchholtz reported that Hy-Vee has submitted interior plans for the store. He stated that the plans have been approved and the building permit has been issued. He reported that interior work has started and the Department of Agriculture has approved underground work. He stated that the opening date is unknown however opening could be late Spring of 2021.

Administrator Buchholtz reported that Building Inspector Baker has passed his Building Official test and the City Council has approved his promotion to Building Official.

Administrator Buchholtz reported that the utility project near the 525 Osborne Road property is completed and stated that it went well. He reported that JP Brooks has started construction on two of the six proposed homes on Monroe Street.

Chairperson Hansen inquired if the Planning Commission has received a compliance report on projects that have been approved in the past. Administrator Buchholtz stated that a report has not been provided as there have not been any issues of non-compliance.

7. ADJOURN

Motion made by Commissioner Julien, Seconded by Commissioner Bernhagen to adjourn the meeting.

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

The meeting adjourned at 7:45 PM.

To: Spring Lake Park Planning & Zoning Commission

From: Phil Carlson, Stantec

City of Spring Lake Park

File: Bethel City of Hope
8485 Plaza Blvd NE
Applicant: Joe Nick, City of Hope
Owners: Brian & Peter Lunseth

Date: January 25, 2021

Re: Conditional Use Permit, Bethel City of Hope Church, 8485 Plaza Blvd NE

INTRODUCTION

Bethel City of Hope Church wants to lease space in the multi-tenant building at 8485 Plaza Blvd NE. Churches are considered an “assembly” use in the Zoning Code, requiring a Conditional Use Permit. The church would occupy an existing space (Unit D) in the building and make little or no changes to the building and site.

The property is guided Commercial and zoned C-1 Shopping Center Commercial – see map excerpts on the next page. “Assembly uses, including auditoriums, religious and philanthropic uses” are by Conditional Use Permit in the C-1 district.

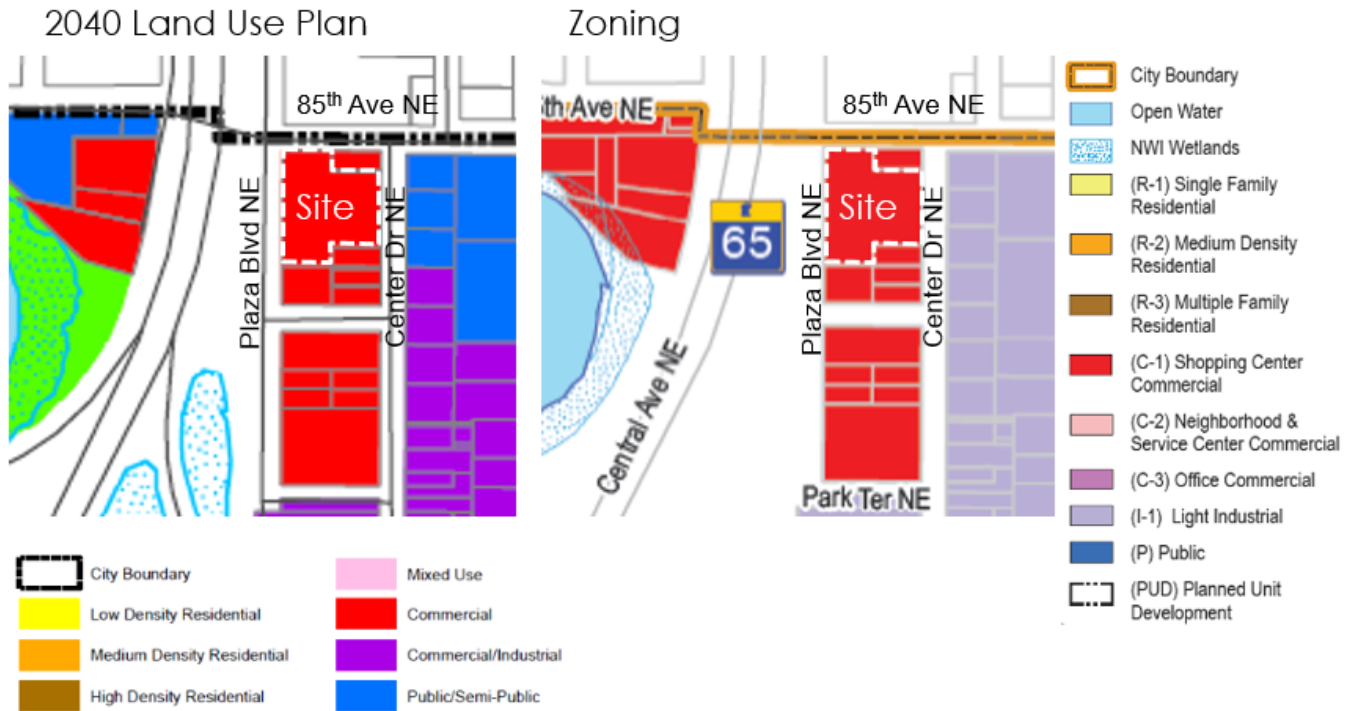
Surrounding uses are commercial in the other building tenant spaces and other parcels south on the same block; church and industrial in the block to the east; commercial use across 85th Avenue in Blaine; and Highway 65 to the west.



SITE ISSUES – CONDITIONAL USE PERMIT

The Zoning Code allows the City to impose reasonable conditions on certain uses to address issues that may impact surrounding properties. In this case, there is an existing multi-tenant commercial building with several other uses. The church would join those uses and share parking, but no changes are proposed of the exterior of the building or site, other than occupying a space on the existing signs.

Re: Conditional Use Permit, 8485 Plaza Blvd NE, Bethel City of Hope



Parking

The key issue for this use on this site is parking. A church use can have intense parking needs, but the largest gatherings are typically on Sunday, when other businesses are often closed. Parking demand for a church typically adds up the various components of the uses separately – sanctuary, classrooms, office space. Parking analysis is as follows:

- Available parking
 - 95 parking spaces, total on site (83 in front, 12 in back)
 - 85 spaces available to the church on Sunday, according to the owners
 - 55 or more spaces available for the church during the week, according to the owners



Re: Conditional Use Permit, 8485 Plaza Blvd NE, Bethel City of Hope

- Building use:
 - Sanctuary, occupying about 3,200 sq ft, with seating for 200-250
 - Two classrooms, 500 sq ft each, 25 seats each
 - 800 sq ft – pastor’s office, kitchen, restrooms, storage
- Parking demand, based on Spring Lake Park Zoning Code:
 - Sanctuary: 1 space per 3 seats = 83 spaces (at 250 seating)
 - Classrooms: 2 spaces per classroom = 4 spaces
 - Office: assume only the pastor’s office = 1 space
 - Sunday (maximum use) total: 88 spaces
 - Weekday – 55 spaces available:
 - Assume meetings in each classroom, 1 space/3 seats = 17 spaces
 - Pastor’s office = 1 space
 - Sanctuary: 37 spaces available, could handle a gathering of 110 people at 1/3 seats

At full capacity on Sunday and following the Zoning Code formulas, parking demand would be within a few spaces of the available parking. During a weekday, the space could be fairly heavily used with 160 people at several meetings, and still stay under the 55 spaces available. Parking is not allowed on Plaza Drive NE, so parking for the church and other businesses needs to be handled on site. Parking formulas are generalized and not exact – the proposed parking seems reasonable.

CONCLUSION & RECOMMENDATION

I recommend approval of the Conditional Use Permit for Bethel City of Hope Church at 8485 Plaza Drive NE as presented in the application, with the following conditions:

- 1) The owners will share with the City the lease language indicating the use of 85 parking spaces on site for the church on Sundays and 55 spaces other days. If parking becomes a problem, in the City’s opinion, on site or on the street, the City reserves the right to revisit the Conditional Use Permit and impose additional conditions or limit the use of the space.
- 2) The church or the property owners will apply for a sign permit if and when the church wishes to install new signage, which will comply with the City’s sign regulations.
- 3) Any changes proposed to the exterior of the building or site as a result of this church use, other than signage, will be reviewed by City staff to see if such changes require review of the Conditional Use Permit. In such a case, the City reserves the right to refer the Conditional Use Permit to the Planning Commission and City Council and impose additional conditions or limit the use of the space.

Findings of Fact for Approval of the CUP

- 1) The proposed church use in an existing multi-tenant commercial building appears to not involve issues beyond parking. From information supplied by the applicant and owners, parking appears to be adequate.

Re: Conditional Use Permit, 8485 Plaza Blvd NE, Bethel City of Hope

- 2) It is reasonable and appropriate for the City to review and respond to potential parking issues on site which could result in traffic or safety issues. Such review may involve imposing additional conditions on the use, which is an appropriate function of the City's zoning authority.

OPTIONS

- 1) Recommend approval of the CUP as presented with the recommended conditions and findings, or as modified by the Planning Commission.
- 2) Recommend denial of the CUP and variance, with findings for denial for each.
- 3) Continue the items to a future meeting to gather more information or for more discussion.

60-DAY RULE

The Conditional Use Permit application was received on November 24, 2020 and was considered complete on December 7, 2020 with receipt of information on site and building use. The 60-day deadline for final action by the City Council is February 5, 2021. The City hereby extends the deadline an additional 60 days, as permitted by State statute, to March 6, 2021, to give the City more time to review and act on the application, assuming the City Council may not be able to make a decision at its meeting on February 1, 2021.



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

For Office Use Only	
Case Number:	
Fee Paid:	
Received by:	
Date Filed:	
Date Complete:	
Base Fee:	Escrow:

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)			
<input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text) <input type="checkbox"/> Rezoning <input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Site Plan/Building Plan Review <input type="checkbox"/> Conceptual Plan Review <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Lot Combination <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other _____	
PROPERTY INFORMATION			
Street Address: <u>8485 PLAZA BLVD NE</u>			
Property Identification Number (PIN#): <u>01-30-24-12-0079</u>		Current Zoning: <u>C-1</u>	
Legal Description (Attach if necessary): <u>- attached</u>			
APPLICANT INFORMATION			
Name: <u>Bethel City of Hope MN</u>		Business Name:	
Address: <u>1915 Highway 36 west suite #76</u>			
City: <u>Roseville</u>	State: <u>MN</u>	Zip Code: <u>55113</u>	
Telephone: <u>651 302 7777</u>	Fax:	E-mail:	
Contact:	Title:		
OWNER INFORMATION (if different from applicant)			
Name: <u>PETER & BRIAN LUNSETH</u>		Business Name: <u>LUNSETH PROPERTIES LLC</u>	
Address: <u>1923 GREEN AVE</u>			
City: <u>ANOKE</u>	State: <u>MN</u>	Zip Code: <u>55303</u>	
Telephone: <u>763 421 7777</u>	Fax:	E-mail: <u>lunsethproperties@gmail.com</u>	
Contact: <u>PETER</u>	Title: <u>VP</u>		
DESCRIPTION OF REQUEST (attach additional information if needed)			
Existing Use of Property: <u>Vacant Retail</u>			
Nature of Proposed Use:			
Reason(s) to Approve Request: <u>Help Spring Lake Park business - Tax revenue</u>			
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE			
Project Name:		Date of Application:	
Nature of Request:			
ATTENTION: Applicants must submit all required support documents.			

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park requires all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. If the applicant requests the estimate, the application shall not be deemed complete until the City has (1) provided an estimate to the applicant; (2) received the required application fees, as specified by the City; (3) received a signed acceptance of the fee estimate from the applicant; and (4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

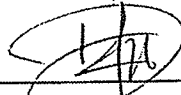

I wish to be notified of additional costs in the following manner (select one):

☒ E-mail pkoffachofma1.com ☐ Fax _____ ☐ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application, including all four requirements of Minnesota Statute § 471.462, should I request a written estimate of consultant fees. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant:  Date: 11/24/20
Owner:  Date: 11/24/20

NOTE: Applications only accepted with ALL required support documents.
See City Code

Legal Desc:

LOT 34 SPRING LAKE PARK PLAZA LOTS 34 THRU 36 INCL,
TOG/W LOT 37 EX N 5 FT THEREOF, ALSO TOG/W LOTS 39 THRU 44
INCL, SPRING LAKE PARK PLAZA, ALSO TOG/W ADJ VAC ALLEY, EX
RD SUBJ TO EASE OF REC

**City of Spring Lake Park
Conditional Use Permit Worksheet**

A conditional use permit cannot be approved unless the Planning and Zoning Commission and the City Council make certain findings and recommendations. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary. If some items are not applicable for your project, write N/A. Contact the Zoning Administrator with any questions.

1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community. Churches generally are favorable to a community. The Churches goal is to contribute to its members welfare, and encourage them to positively impact their family & community.
2. That the use will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity of the use or injurious to property values/improvements within the vicinity of the use. Use will be regular church-type activities; Worship services, teaching, small group meetings, child education & services. Our aim is to improve morals & welfare of community.
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. Use would be assembly/religious which is listed as conditional within C-1 Zoning.
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. Surrounding properties are mainly businesses... most of which are closed on Sunday. Property has large amount of on site parking.

5. That the use will not lower property values or impact scenic views in the surrounding area. _____

Only planning to improve the space.
No major changes to view/elevation.

6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. _____

Just a small to medium sized church. Traffic impact would mainly be on Sunday morning. Hwy 65 & Hwy 10 would be the main routes to the location.

7. That the use includes adequate protection for the natural drainage system and natural topography. _____

No impact to drainage/topography

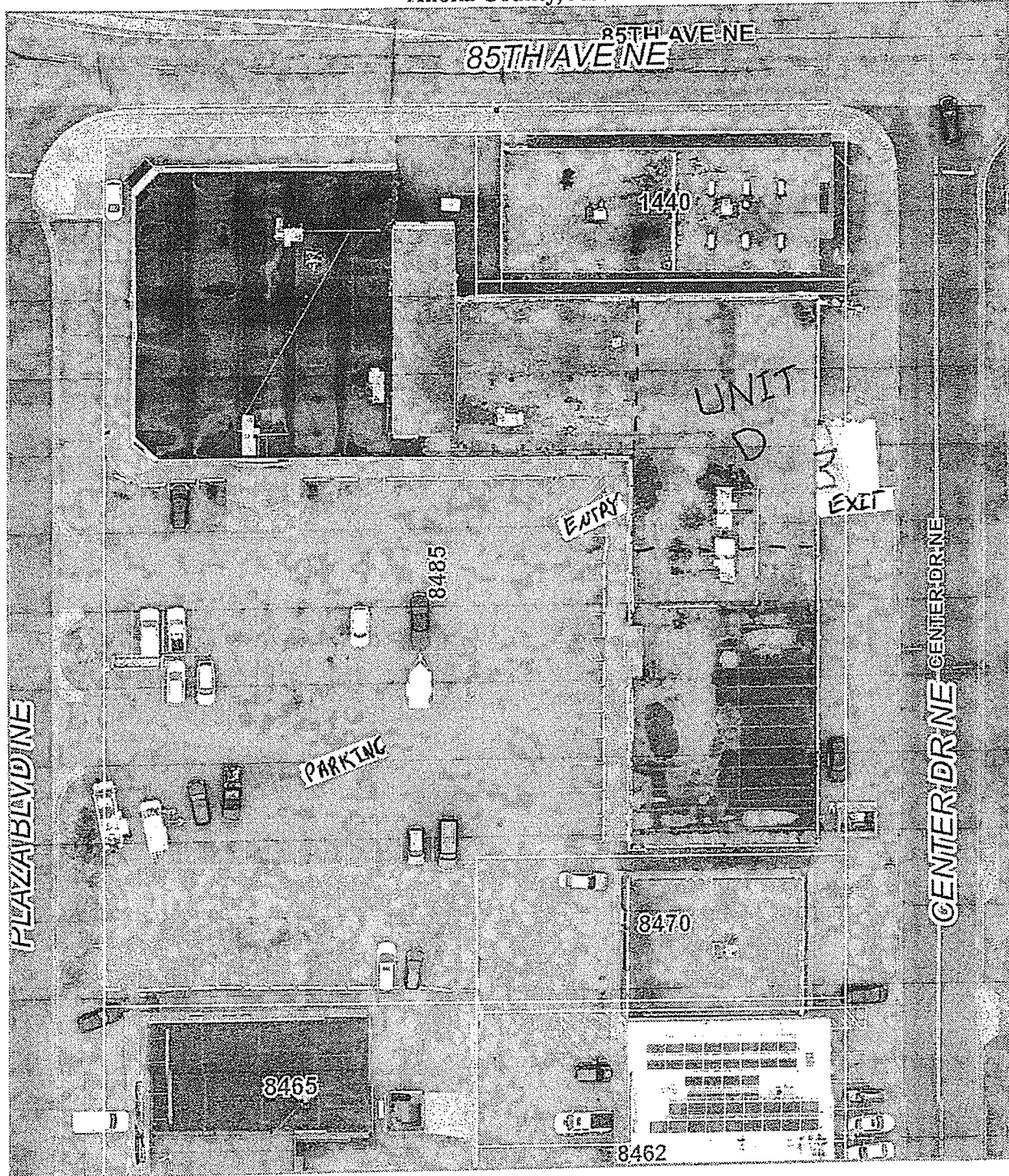
8. That the proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance. _____

No odor/fumes anticipated
Dust only during initial remodeling and would be contained.
Noise/vibration contained by insulation/walls added during remodel.

9. That the proposed use will not stimulate growth incompatible with prevailing density standards. _____

Members will not be required to move to attend church.

Anoka County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 50 feet
11/10/2020