

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on January 22, 2024, 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

Chair Hans Hansen  
Commissioner Rick Cobbs  
Commissioner Brad Delfs  
Commissioner Kelsey Hollihan  
Commissioner Eric Julien  
Commissioner Sharon Weighous

#### STAFF PRESENT

Building Official Jeff Baker, City Planner Kristin Baldonado, Administrator Daniel Buchholtz

#### OTHERS PRESENT

Brandon Prior	6351 20 <sup>th</sup> Ave	Lino Lakes MN 55030
Said Sajady	8325 University Avenue NE	Spring Lake Park MN 55432

### 3. PLEDGE OF ALLEGIANCE

### 4. ELECT OFFICERS

#### A. Chair

Motion made by Commissioner Cobbs, seconded by Commissioner Hollihan, to elect Commissioner Hansen as Chair for 2024.

Voting Yea: Commissioner Weighous, Commissioner Hollihan, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien. Abstain: Chairperson Hansen. Motion carried.

#### B. Vice Chair

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to elect Commissioner Delfs as Vice Chair for 2024.

Voting Yea: Commissioner Weighous, Commissioner Hollihan, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

## 5. APPROVAL OF MINUTES

### A. Approval of Minutes – October 23, 2023 Meeting

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to approve the minutes from the October 23, 2023 Planning Commission meeting.

Voting Yea: Commissioner Weighous, Commissioner Hollihan, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

## 6. PUBLIC HEARING

### A. Public Hearing – Conditional Use Permit for Northtown Auto Sales, 8325 University Ave NE, to Permit Auto Repair

Planner Baldonado provided an overview of the conditional use permit request from Northtown Auto Sales, which operates a car sales lot at 8325 University Avenue NE. She stated that the applicant is seeking a conditional use permit to allow auto repair and servicing on used vehicles in the C-2 zoning district.

Planner Baldonado stated that Northtown Auto Sales currently has an existing conditional use permit (CUP) which allows for auto sales and cleaning of vehicles. The original CUP (then called a “special use permit”) was approved in March 1985 and allowed auto sales, but no repair, with a maximum of 50 cars parked on site. A CUP amendment in December 1985 increased the allowed number of cars on site to 58 and allowed parking to within 5 feet of the front lot line. Two CUP amendments in 1993 allowed a taller garage door and added storage and cleaning of vehicles to the list of permitted uses.

Planner Baldonado reported that staff is recommending approval of the CUP with the following conditions:

- Auto repair may be conducted on site as long as all repair work is done completely within the building and all other conditions of this permit are adhered to.
- A new landscaped boulevard along the University Avenue frontage road will be added, consisting of an additional 4-ft-wide landscaped area, in addition to the existing 5-ft-wide landscaped area, for a total of 9 ft wide. The new boulevard will be planted with low shrubs in a plan to be prepared by the owner and reviewed and approved by the City Planner and City Engineer. The plan is to be completed by October 31, 2024.
- The number of cars on site at any one time, including vehicles for sale, involved in repair, or customer parking, is limited to 58.
- All vehicles on site must be legal and operational for public highways.
- Hours of operation are 9 am to 9 pm, Monday to Friday and 9 am to 6 pm on Saturdays.
- On-site lighting to be confined to the premises. Any changes in site lighting plan are to be reviewed and approved by the City Engineer.

- Existing green space to be maintained.
- Fencing will be kept in good repair and attractive appearance.
- All other City standards related to drainage of the site and other site features are to be followed. Any changes must be reviewed and approved by the City Engineer.

Commissioner Hollihan asked what provisions are being put in place to ensure that after the warranty year that the shrubbery will not be overgrown. Planner Baldonado suggested that city staff do periodic inspections. Commissioner Hollihan inquired if there could be a provision stating that the landscape needed to be aesthetically pleasing. Administrator Buchholtz stated that it could be added as a condition of the landscaping.

Commissioner Weighous wondered if 9 pm was too late to be repairing cars considering the close proximity of residential housing. Administrator Buchholtz stated that 9 pm is earlier than what the code allows, and it is consistent with the current CUP. Commissioner Weighous asked how the City can ensure that the car limit of 50 is not exceeded. Administrator Buchholtz stated that the Police Department does periodic car counts at night, and if the property owner is over the limit, the violation is reported to the Code Enforcement Department for possible action.

Building Official Baker stated that each auto dealer's lot is counted for compliance. He stated that the count is done around the time of license renewal.

Commissioner Weighous asked Building Official Baker if there were regulations on chemicals or oil which could be hazardous. Building Official Baker stated that upon the final inspection their rules and regulations that are followed up on. He said that the business is inspected to make sure the chemicals and oils are in the proper containers, and that all documentation pertaining to each chemical is in place.

Mr. Said Sajady, representing Northtown Auto, gave a response to the staff report and made the following requests:

- Requested that the previous CUP not be voided, simply amended to include the auto repair use.
- That the landscape requirement be removed, because the business needs visibility from University Avenue.
- That the limit on cars not be reduced to 50 but be increased.

Administrator Buchholtz stated that there are three existing Special Use Permits, which is confusing. He said the proposed CUP would serve as the one document that governs the use of the property versus trying to figure out which CUP to follow. He stated that the landscaping is a recommendation from staff because the City is working to beautify the University Avenue Corridor.

Mr. Sajady stated that the hours of the business are 9am – 5pm. He said that the repairs on vehicles is done on their inventory and are done inside the shop.

Commissioner Delfs inquired if there was another way to beautify the corridor versus the current proposal of tall trees. The Commission discussed using mulch and low shrubbery instead of the trees.

Motion made by Commissioner Julien, seconded by Commissioner Weighous to recommend Conditional Use Permit for Northtown Auto Sales, 8325 University Ave NE, to Permit Auto Repair with the following modified conditions:

- The current Special Use Permit at 8325 University Avenue NE, approved in March 1985 and amended in December 1985 and December 1993, is voided and replaced with a new Conditional Use Permit.
- Auto repair may be conducted on site as long as all repair work is done completely within the building and all other conditions of this permit are adhered to.
- A new landscaped boulevard along the University Avenue frontage road will be added, consisting of an additional 4-ft-wide landscaped area, in addition to the existing 5-ft-wide landscaped area, for a total of 9 ft wide. The new boulevard will be planted with low shrubs in a plan to be prepared by the owner and reviewed and approved by the City Planner and City Engineer. The plan is to be completed by October 31, 2024.
- The number of cars on site at any one time, including vehicles for sale, involved in repair, or customer parking, is limited to 58.
- All vehicles on site must be legal and operational for public highways.
- Hours of operation are 9 am to 9 pm, Monday to Friday and 9 am to 6 pm on Saturdays.
- On-site lighting to be confined to the premises. Any changes in site lighting plan are to be reviewed and approved by the City Engineer.
- Existing green space to be maintained.
- Fencing will be kept in good repair and attractive appearance.
- All other City standards related to drainage of the site and other site features are to be followed. Any changes must be reviewed and approved by the City Engineer.

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

B. Public Hearing – Conditional Use Permit for Prior Performance Motorcycles, 8421 Center Drive NE, Suite A to Allow Auto Service/Motorcycle Repair

Planner Baldonado provided an overview of the conditional use permit request from Brandon Prior, who operates Prior Performance, a motorcycle shop in the multi-tenant building at 8421 Center Drive in the I-1 Light Industrial district.

Brandon Prior, 6351 20<sup>th</sup> Ave, Lino Lakes reported that his shop repairs all types of motorcycles but the specialty of the shop is to build custom motorcycles from nothing. He said that he also manufactures parts in house.

Commissioner Delfs asked Mr. Prior if he supplied parts to other motorcycle builders, or does he supply parts online. Mr. Prior stated that he does have an E-Commerce store online and he stocks parts for other dealers.

Commissioner Weighous inquired about the parking. Mr. Prior explained that customers usually arrive on their motorcycles, so they are able to park more motorcycles in the assigned spaces.

Motion made by Commissioner Hollihan, seconded by Commissioner Julien, to recommend the Conditional Use Permit for Prior Performance Motorcycles, 8421 Center Drive NE, Suite A to Allow Auto Service/Motorcycle Repair with the following conditions:

- All work on vehicles will be conducted within the enclosed building.
- No storage of tires, vehicles, vehicle parts or other materials is permitted outside the building.
- All vehicles parked on site will be operable and street worthy.
- Parking for the business is limited to three parking spaces immediately in front of Suite A of the building on Center Drive and the three spaces immediately behind Suite A at the rear of the building. Parking at the rear will maintain the access aisle open serving the entire building.
- Operations on site will at all times follow the performance standards in Section 16.28.010 of the Spring Lake Park Zoning Code for noise, odor, fumes, light and other impacts.

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

C. Public Hearing – Amendment to Chapter 16 of the Zoning Code Relating to Sacred Communities

Administrator Buchholtz gave an overview of Sacred Communities Ordinance. He said that cities must allow faith communities to site micro units on religious property to house chronically homeless individuals, extremely low-income individuals, and volunteers.

Administrator Buchholtz said the proposed ordinance incorporates the Sacred Community law into the City's zoning ordinance.

- Section 1 establishes a parking requirement of 1 parking space per volunteer unit for the Sacred settlement. This is in addition to any parking requirements due to the religious use.
- Section 2 adds "Sacred Communities" as a conditional use in the R-1, R-2, R-3, C-1 and C-2 zoning districts.

- Section 3 establishes the performance standards for the sacred settlements. All of the performance standards are set forth under M.S. § 327.30, the Sacred Communities Law. The performance standards include the following:
  - Be no more than 400 gross square feet.
  - Be built on a permanent chassis and anchored to pin foundations with engineered fasteners.
  - Have exterior material compatible in composition, appearance and durability to materials used in standard residential construction.
  - Meet minimum framing standards and insulation ratings for doors and windows and include a dry, compostable or plumbed toilet meeting MPCA rules.
  - Include smoke and carbon monoxide detectors and complex with municipal setback requirements.
  - Have access to water and electric utilities either by connecting the units to the principal building or by providing access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry consistent with boarding house requirements under Minnesota Rules, part 1305.2902.

The performance standards also establish minimum standards for the religious institution's operation of the settlement itself. These standards include:

- Appropriate level of insurance and have between one-third and 40% of the micro units occupied by designated volunteers.
- Adherence to all laws governing landlord and tenants under Minnesota Statutes Chapter 504B.
- A written plan provided to the city in which the settlement is approved by the religious institution's governing board that includes:
  - Plans for disposal of water and sewage if not plumbed and septic tank drainage if plumbed units are not connected to the primary worship location's system.
  - Adequate parking, lighting, and access to units by emergency vehicles.
  - Protocols for security and addressing conduct within the settlement as well as safety protocols for severe weather.
  - Requirement to obtain a conditional use permit.

Administrator Buchholtz stated that the City is unable to add performance standards to the conditional use permit that are not permitted by the law.

Commissioner Hansen asked if any places of worship have inquired about micro units. Administrator Buchholtz responded no.

Motion made by Commissioner Cobbs, seconded by Commissioner Hollihan, to recommend Amendment to Chapter 16 of the Zoning Code Relating to Sacred Communities

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

## 7. OTHER

### A. Discussion of Commercial District Use Table

Administrator Buchholtz stated that the City Council would like the Planning Commission to review the use table for the City's commercial districts. He stated that the City Council wants to ensure the Zoning Code meets the City's land use goals, specifically to "provide for a mix of commercial uses that provide goods and services to residents and that benefit from the City's proximity to major highways and roads."

Administrator Buchholtz stated that staff is proposing the following steps to complete the work:

- Assessment of the Current Zoning Code. Review the current commercial land use table (included with the packet) to familiarize yourselves with the currently permitted and conditional uses in the C-1, C-2 and C-3 zoning districts.
- Community engagement. Engage with the community to gather input on the types of businesses they wish to see in our commercial districts.
- Research. Review commercial land use tables from other communities similar to Spring Lake Park. Staff will pull this information together for a future meeting.
- Draft a set of recommendations for the City Council. Based on the research and discussions by the Commission, provide a draft ordinance for review by the City Council.

Commission Chair Hansen said that with Highway 65 splitting the City many of the strip malls are hard to access. Commissioner Julien stated that placing businesses along the highway makes sense for visibility purposes.

Commissioner Delfs inquired about what action did the City Council want the Commission to take. Administrator Buchholtz said that City Council wants the Commission to focus on the use table to make sure businesses are appropriate for the areas they are currently zoned for. He stated that Commission can provide direction to staff on any potential ordinance amendments.

Chair Hansen inquired about the carwash on University Avenue NE? Building Official Baker said that the building has received the final Certificate of Occupancy and the building is 95% complete.

### B. Administrator Report

Administrator Buchholtz gave an update on the City Hall Renovation Expansion Project. He said that the City Council received bids for the project, and that the bids will be awarded at the February 5, 2024 City Council meeting. He stated that meetings for City Council and Planning will move to the Able Park Building, 8200 Able Street NE, after construction starts.

## 8. ADJOURN

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

Voting Yea: Commissioner Weighous, Commissioner Hollihan, Commissioner Delfs, Commissioner Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

Meeting adjourned at 8:44 PM.