



PLANNING COMMISSION AGENDA
MONDAY, AUGUST 23, 2021
CITY HALL at 7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - [A.](#) Approval of Minutes - June 28, 2021
- 5. PUBLIC HEARING**
 - [A.](#) Public Hearing - Conditional Use Permit for Auto Repair/Detailing - Infinity Automotive, 8443 University Avenue NE
- 6. OTHER**
 - A. Administrator Report
- 7. 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 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.

To:	Planning Commission	From:	Phil Carlson
	City of Spring Lake Park		Stantec
File:	Infinity Automotive – Conditional Use Permit (Nancy Singh, Owner)	Date:	August 23, 2021

Re: Infinity Automotive | 8433 University Avenue NE

BACKGROUND

Infinity Automotive operates an auto detailing business on a commercial site at 8433 University Avenue NE. The site is zoned C-2 Neighborhood and Service Center Commercial, which is intended for businesses close to a major roadway. The property fronts University Avenue with access from University Avenue Service Road NE. To the north and east of the property are single family residential uses zoned R-1, to the south is commercial property, also zoned C-2 like the subject site.

The property has an existing Special Use Permit (SUP) from 2002, updated in 2003, also for light auto repair businesses. The conditions for that SUP are attached to this report. *[A Special Use Permit is the same as a Conditional Use Permit/ CUP. The name was changed in an updated zoning code some time ago].*

The original 2002 SUP was for Life Time Auto Repair; the amended 2003 SUP was for Aurora Tech. The 2003 SUP, still in effect, has the following conditions:

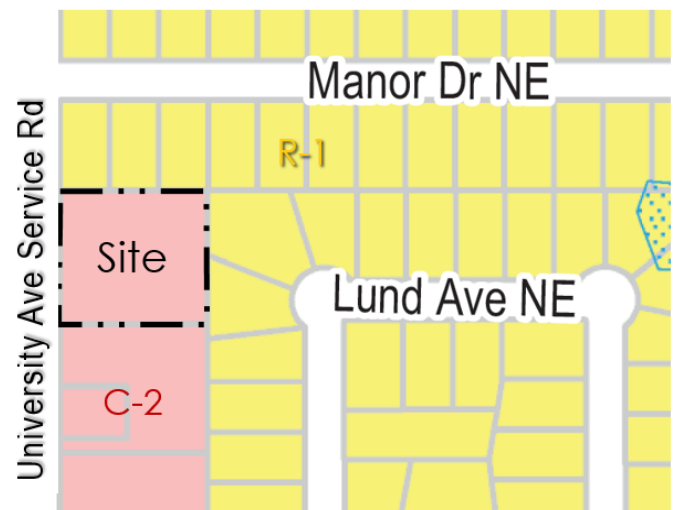
1. Hours 7AM/9PM M/F 7AM/9PM Sat.
2. Overhead doors to be closed.
3. No more than 5 key drop vehicles parked overnight (24 hours) on west side of property w/ a max of 6 vehicles in rear (east) parking lot for no more than 5 days & no outside storage of parts or equipment.
4. Installation of a 4 foot chain link fence w/ rolling gate on the NE corner of the building.

The SUP notes that use of the site as a used car lot use was denied.

The current operator, Infinity Automotive, has leased the property for four years. Since January of 2020 the City's building official has recorded complaints and violations of the SUP on several occasions for having too many cars parked overnight on site. The correction notices and violations attached. Administrative offense tickets (fines) have accumulated totaling \$12,000. If not paid, these fines can be certified onto property taxes to be collected by the City. The owner has agreed to apply for a new CUP to resolve the situation.



Zoning Map



Reference: Infinity Automotive CUP | 8433 University Avenue NE

PLANNING ISSUES

The site has space for 40 cars to be parked on site, front and rear, but the concern is that too many cars parked overnight will make it look like a used car lot or junk yard and we believe this is the rationale for the limit on cars in the current SUP. Applicant/owner Nancy Singh has requested up to 10 cars in the front and 10 cars in the rear. Her request and other information about the business are included in the email attachment to this report. Allowing a certain number of cars on site for an auto service business is reasonable, but too many parked overnight is not. Improving the aesthetic appeal of this stretch of University Avenue is also desirable. Considering the repeated complaints and violations with the current SUP it may be hard to consider increasing the number of cars allowed. But in discussion with the City Administrator and Building Official there might be an approach that would present a win/win:

- 1) Approve a new CUP allowing 10 cars in front and 10 cars in back overnight as requested, with other conditions as in the current SUP.
- 2) Require new landscaping along University Avenue to screen cars and improve the view along that corridor.
- 3) Hold off collecting on the current administrative offense tickets for a year. If the business can comply with the new terms of the CUP for a year, the fines would be waived.

RECOMMENDATION

We recommend that the Planning Commission recommend approval of the Conditional Use Permit for 8843 University Avenue as outlined in this report with the following conditions:

- 1) The previous Special Use Permit is voided with approval of this Conditional Use Permit.
- 2) Hours of operation shall be 7 AM to 9 PM seven days a week (or as modified by the City Council).
- 3) Overhead doors are to be closed and all work on vehicles shall be performed inside the building. There shall be no outside storage of parts or equipment.
- 4) No more than ten vehicles will be parked overnight (24 hours) on the front (west) side of the property and no more than ten vehicles shall be parked overnight in the rear (east) side of the building.
- 5) New landscaping shall be installed as soon as practical after approval of this permit on the boulevard at the front (west) side of the property, consisting of at least four overstory trees and at least twelve shrubs that will be 3 to 5 feet in height at maturity, such plan to be reviewed and approved by the City Planner. All plant materials will be maintained for the duration of the Conditional Use Permit and will be replaced with approved equal if dead, damaged, or destroyed.
- 6) The pending administrative offense tickets due to be paid to the City at this time will be certified to the property taxes of this lot if this Conditional Use Permit is not approved and conditions followed.
- 7) If the business follows satisfactorily the conditions in this Conditional Use Permit, in the opinion of the City building official, for one year from approval, the amounts owing on administrative offense tickets will be waived by the City. If the conditions are not followed, new tickets may be issued and the additional amounts owing will be added to the existing amounts, all such amounts to be certified to the property taxes to be paid in full.
- 8) If the conditions of this permit are not met, the City Council may revoke the Conditional Use Permit under the provisions and process in the City Zoning Code.

Reference: Infinity Automotive CUP | 8433 University Avenue NE

FINDINGS OF FACT

We recommend the following findings of fact for approval of the Conditional Use Permit:

- 1) The proposed use is a reasonable use of the property, anticipated as a Conditional Use in the C-2 zoning district.
- 2) Keeping the site attractive and reasonable free from too many cars parked overnight is a reasonable expectation in keeping with improving the visual appearance of the City's business district.
- 3) Adding landscaping to the front of the property is a reasonable condition directly related to the limit on parked cars and improving the visual appearance of the commercial corridor along University Avenue.
- 4) The proposed use under the recommended conditions meets the criteria for approving a Conditional Use Permit in the City's Zoning Code.

60-DAY LIMIT

The CUP application was complete on August 18, 2021. Final deadline for action by the City Council is October 18, 2021.

CONDITIONAL USE PERMIT CRITERIA

Section §153.202 of the Spring Lake Park zoning code outlines the requirements to approve a conditional use permit:

- (a) 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;
- (b) The use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity;
- (c) The proposed use will comply with the regulations specified in this chapter for the district in which the proposed use is to be located;
- (d) The use is one of the conditional uses specifically listed for the district in which it is to be located;
- (e) The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;
- (f) The use will not lower property values or impact scenic views in the surrounding area;
- (g) Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;
- (h) Sufficient off-street parking and loading space will be provided to serve the proposed use;
- (i) The use includes adequate protection for the natural drainage system and natural topography;
- (j) 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; and
- (k) The proposed use will not stimulate growth incompatible with prevailing density standards.



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

January 11, 2021

Inspection Location: 8443 University Ave NE
Initial Inspection Date: 3/30/2020
Re-inspection Date: 1/07/2021

Correction Notice

Action(s) necessary to abate violation(s)

(1) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces. (2) All work shall be performed within a completely enclosed building. (3) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited. (4) The sale of vehicles shall be prohibited, unless permitted by this chapter or allowed by conditional use. (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors. (SLPCO 153.120 (B)).

-Per your Special Use Permit dated 9/12/2002. No more than 5 key drop off vehicles parked overnight (24 hours) on the west side of the property with a maximum of 6 vehicles in the rear (east) parking lot for no more than 5 days. ***-Please remove the correct number of vehicles to comply with the restrictions of your Special Use Permit.***

The City of Spring Lake Park reached out to you with an Ongoing Violation Notice dated 10/27/2020. The letter informed you of two acceptable options for abatement, with a deadline of no later than 4:30 p.m. on November 13, 2020. The City has not received any word from Infinity Automotive and will be moving forward with a second double Administrative Offense Citation. These two options are still available for compliance.

The Spring Lake Park Police Department stopped out at the above location on 1/07/2021. The west side lot had 19 vehicles (**14 Over**) and the East side lot had 19 vehicles (**13 Over**). Total of 27 violations.

Please find a third Double Administrative Offense ticket for failure to correct the violations listed above. You are hereby directed to remove the above violations by **March 1, 2021**. Failure will result in issuance of a third Administrative Offense Ticket carrying a double fine for each violation (Per Vehicle). Your immediate attention and correction of these violations is required.

If you have any questions or concerns regarding your violation, please contact me at jbaker@slpmn.org or 763-792-7212.

Sincerely,

Jeff Baker
Code Enforcement Director

Cc: Address file
Jenny Gooden, Executive Assistance



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

December 1, 2020

Inspection Location: 8443 University Ave NE
Initial Inspection Date: 3/30/2020
Re-inspection Date: 5/12/2020

Correction Notice

Action(s) necessary to abate violation(s)

(1) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces. (2) All work shall be performed within a completely enclosed building. (3) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited. (4) The sale of vehicles shall be prohibited, unless permitted by this chapter or allowed by conditional use. (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors. (SLPCO 153.120 (B)).

-Per your Special Use Permit dated 9/12/2002. No more than 5 key drop off vehicles parked overnight (24 hours) on the west side of the property with a maximum of 6 vehicles in the rear (east) parking lot for no more than 5 days. ***-Please remove the correct number of vehicles to comply with the restrictions of your Special Use Permit.***

The City of Spring Lake Park reached out to you with an Ongoing Violation Notice dated 10/27/2020. The letter informed you of two acceptable options for abatement, with a deadline of no later than 4:30 p.m. on November 13, 2020. The City has not received any word from Infinity Automotive and will be moving forward with a second double Administrative Offense Citation.

The Spring Lake Park Police Department stopped out at the above location on 11/25/2020 @ 00:15. The west side lot had 19 vehicles (**14 Over**) and the East side lot had 19 vehicles (**13 Over**). Total of **27** violations.

Please find a second Double Administrative Offense ticket for failure to correct the violations listed above. You are hereby directed to remove the above violations by **January 1, 2021**. Failure will result in issuance of a third Administrative Offense Ticket carrying a double fine for each violation (Per Vehicle). Your immediate attention and correction of these violations is required.

If you have any questions or concerns regarding your violation, please contact me at jbaker@slpmn.org or 763-792-7212.

Sincerely,

Jeff Baker
Code Enforcement Official

Cc: Address file
Jenny Gooden, Executive Assistance

Jeff Baker

From: Dustin Lemke
Sent: Wednesday, November 25, 2020 12:29 AM
To: Jeff Baker
Subject: Car Count

8443 University-
Front-19
Rear-19

8301 Sunset
15 total

D. Lemke



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

October 27, 2020

Property Location: 8443 University Ave NE

Ongoing Violation Notice

Dear Property Owner,

This letter is in regards to past and ongoing violations of your Special Use Permit (SUP) dated September 12, 2002. This letter is intended to lay out a recent history of the violations and suggest acceptable options for abatement.

Recent History of Violations

In January of this year, the City received a complaint alleging a violation of your SUP on your property. I conducted an inspection of the property on January 6 and found that numerous vehicles were being stored on both the west and east sides of your property, well in excess of the storage permitted by your existing SUP. I spoke with a manager and advised the manager of this issue and presented a copy of the current SUP, which permits five vehicles to be parked on the west side of the property and six vehicles to be parked on the east side of the property.

Thereafter, and during the following week, I spoke with you about the need to bring the property into compliance with the current SUP, and you indicated an intent to apply for a new CUP from the City. When a new complaint was received on March 27, you had still not made application for a new CUP nor abated the violations. Code Enforcement sent you a formal compliance letter dated March 30 which gave you until April 6 to abate the violations. An inspection of your property upon expiration of that deadline revealed the presence of 21 vehicles on the west side of the property and 16 vehicles on the east side (26 total vehicles over that permitted by your current SUP). An Administrative Offense citation was issued to you for these violations on May 13 in the total amount of \$1,300.

In July, you contacted the City Administrator about the violations and he also suggested that you apply for a new CUP to assist with your vehicle storage issues on the property. You indicated an intent to do so. To date, no such application has been made.

On September 28, during a fire inspection on your property, Code Enforcement again observed that your property continued to be out of compliance with your SUP. On that date, staff observed 29 vehicles in excess of your permitted storage were being stored on the property. An Administrative Offense citation was issued to you for this violation on October 1. As this was a repeated violation, the ticket amount per violating vehicle doubled, per City policy, bringing the citation amount to \$2,900. The letter also advised you that your property would be re-inspected for compliance on October 30.

Acceptable Options for Abatement

The City of Spring Lake Park is trying to work with you to gain compliance. The City suggests one of the two following options for this:

The first option is to swiftly bring your property into compliance with your existing SUP, which permits outdoor parking up to the limits stated above. Should you commit yourself to this path and diligently follow through on an approved formal plan to do so, the City is willing to stay future ongoing enforcement citations while you abate the existing violations. If you desire to pursue this option, the City suggests that you submit, **by 4:30 p.m. November 13, 2020**, a reasonable written proposal for your phased abatement of the violations on the property. This plan should be

detailed and include vehicle count thresholds and the dates by which you will reduce your storage to said counts and the date for full compliance with the plan and your SUP. This plan will be subject to my review and approval.

Alternatively, (and as you have discussed with me and the City Administrator on separate occasions) you may apply for a new Conditional Use Permit (CUP) and request that the City permit additional vehicle storage on the property. The City Council would ultimately determine whether or not to approve such a request. If you intend to pursue this option, you must submit your completed CUP application and all applicable fees, costs and escrow to the City **no later than 4:30 p.m. on November 13, 2020**. The City is willing to stay further citations for these violations (provided the violations are not expanded – i.e. car counts cannot increase for this stay to apply) until November 13 if you provide written indication to me of an intent to make CUP application by that date.

Immediate Response Required

Compliance is the City's main goal when Administrative Offense citations are issued. Administrator Buchholtz and I have informed you about the violations and the CUP process, yet there has been no response from you, and the violations have continued. Rather than continue to issue further citations with progressively greater fine amounts, it is the City's hope that this letter prompts an immediate response, plan creation, and abatement of the violations so that further enforcement becomes unnecessary.

The City is willing to work with you on a reasonable and appropriate timeline for the overall correction and abatement of these violations but will require an immediate response and action from you. A follow-up inspection will be conducted on **November 13, 2020**, to monitor your compliance. If you have not indicated an abatement plan to the City in compliance with the terms of this letter by the above date, or you are not in compliance with said plan or your SUP, a second **double** Administrative Offense citation will be issued. Please be advised that ongoing compliance issues may also result in the City taking potential action on your SUP including, but not limited to, revocation of the same.

The City looks forward to your immediate cooperation in abating these ongoing violations. If you have any questions or concerns regarding compliance, please contact me at jbaker@slpmn.org 763-792-7212. Or Dan Buchholtz at dbuchholtz@slpmn.org 763-784-6491

Sincerely,



Jeff Baker
Code Enforcement Official

Cc: Address file
Jenny Gooden, Executive Assistance
John Thames, Attorney
Dan Buchholtz, Administrator



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

October 1, 2020

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

Inspection Location: 8443 University Ave NE

Initial Inspection Date: 03/30/2020

2nd Inspection Date: 05/12/2020

3rd Inspection Date: 09/28/2020

Confirmation by SLP PD of vehicle count left after hours: 09/30/2020

Third Violation Notice

Action(s) necessary to abate violation(s)

(1) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces. (2) All work shall be performed within a completely enclosed building. (3) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited. (4) The sale of vehicles shall be prohibited, unless permitted by this chapter or allowed by conditional use. (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors. (SLPCO 153.120 (B)).

-Per your Special Use Permit dated 9/12/2002. No more than 5 key drop off vehicles parked overnight (24 hours) on the west side of the property with a maximum of 6 vehicles in the rear (east) parking lot for no more than 5 days. **-Please remove the correct number of vehicles to comply with the restrictions of your Special Use Permit.**

The Spring Lake Park Police Department stopped out at the above location on 09/30/2020. The west side lot had 21 vehicles **(16 over)** and the east side **(13 over)** lot had 19 vehicles and a trailer parked. **Total of 29 violations.**

Please find an Administrative Offense tickets for failure to correct the violations listed above. You are hereby directed to remove the above violations by **October 30, 2020**. Failure will result in issuance of an Administrative Offense Ticket carrying a double fine for each violation (Per Vehicle). Your immediate attention and correction of these violations is required.

Only one information notice will be issued within a 12-month period. All subsequent violations of noted sections will dictate the issuance of an Administrative Citation with fine(s).

If you have any questions or concerns regarding your violation, please contact me at WMorris@slpmn.org or 763-792-7236.

Sincerely,

Walter Morris
Fire Inspector

Cc: Address file
Jenny Gooden, Executive Assistant

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:20139684

Incident #: 20139684

Event

8443 UNIVERSITY AVE NE SPRING LAKE PARK, MINNESOTA 55432

Description of Incident: MISCELLANEOUS OFFICER
Reported Date: 06/12/2020 01:07:58
Time Assigned: 01:07
Time Arrived: 01:07
Time Cleared: 01:15
Incident Start Date: 06/12/2020 01:07:58
Exceptional Clearance: NOT APPLICABLE
Latitude: 45.121881
Longitude: -93.262771
Case Summary: Misc Officer - Code Enforcement FU
Confidential?: No

Owner Data (1)

INFINITY AUTOMOTIVE W

Related Offenses: MISCOFF MISCELLANEOUS OFFICER
Address: 8443 UNIVERSITY AVE NE
City: SPRING LAKE PARK
State: Minnesota
Zip Code: 55432
Latitude: 45.12188871302654
Longitude: -93.26277873936864
Business Phone: (763)-213-9548

Offenses (1)

MISCOFF MISCELLANEOUS OFFICER

UCR/NIBRS Code: 999 NIBRS non-reportable
Location Type: Commercial/Office Building
Bias Motivation: NONE
Attempted/Completed: Completed
Offender Suspected of Using: Not Applicable
Weapon Types:
Weapon Automatic1:

Vehicle (0)

Related Offense:
Towed By:

Narrative (1)

ORIGINAL OFFICER NARRATIVE



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

May 13, 2020

Inspection Location: 8443 University Ave NE
Initial Inspection Date: 3/30/2020
Re-inspection Date: 5/12/2020

Second Notice

Action(s) necessary to abate violation(s)

(1) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces. (2) All work shall be performed within a completely enclosed building. (3) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited. (4) The sale of vehicles shall be prohibited, unless permitted by this chapter or allowed by conditional use. (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors. (SLPCO 153.120 (B)).

-Per your Special Use Permit dated 9/12/2002. No more than 5 key drop off vehicles parked overnight (24 hours) on the west side of the property with a maximum of 6 vehicles in the rear (east) parking lot for no more than 5 days. ***-Please remove the correct number of vehicles to comply with the restrictions of your Special Use Permit.***

The Spring Lake Park Police Department stopped out at the above location on 5/13/2020 @ 02:14. The west side lot had 21 vehicles (**16 Over**) and the East side lot had 16 vehicles (**10 Over**). Total of 26 violations.

Please find an Administrative Offense tickets for failure to correct the violations listed above. You are hereby directed to remove the above violations by **May 29, 2020**. Failure will result in issuance of an Administrative Offense Ticket carrying a double fine for each violation (Per Vehicle). Your immediate attention and correction of these violations is required.

Only one information notice will be issued within a 12-month period. All subsequent violations of noted sections will dictate the issuance of an Administrative Citation with fine(s).

If you have any questions or concerns regarding your violation, please contact me at jbaker@slpmn.org or 763-792-7212.

Sincerely,

Jeff Baker
Code Enforcement Official

Cc: Address file
Jenny Gooden, Executive Assistance

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:20109666

Incident #: 20109666

Event

8445 UNIVERSITY AVE NE SPRING LAKE PARK, MINNESOTA 55432

Description of Incident: MISCELLANEOUS OFFICER
Reported Date: 05/13/2020 02:04:17
Time Assigned: 02:04
Time Arrived: 02:04
Time Cleared: 02:11
Incident Start Date: 05/13/2020 02:04:17
Exceptional Clearance: NOT APPLICABLE
Latitude: 45.122052
Longitude: -93.262708
Case Summary: Misc Officer
Confidential?: No

Owner Data (1)

INFINITY AUTOMOTIVE W

Related Offenses: MISCOFF MISCELLANEOUS OFFICER
Address: 8443 UNIVERSITY AVE NE
City: SPRING LAKE PARK
State: Minnesota
Zip Code: 55432
Latitude: 45.12188871302661
Longitude: -93.26277874084505
Business Phone: (763)-213-9548

Offenses (1)

MISCOFF MISCELLANEOUS OFFICER

UCR/NIBRS Code: 999 NIBRS non-reportable
Location Type: Commercial/Office Building
Bias Motivation: NONE
Attempted/Completed: Completed
Offender Suspected of Using: Not Applicable
Weapon Types:
Weapon Automatic1:

Vehicle (0)

Related Offense:
Towed By:

Narrative (1)

ORIGINAL OFFICER NARRATIVE



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Caspian Ventures LLC
301 Concorde Place
Burnsville, MN 55337

April 30, 2020

Inspection Location: 8443 University Ave NE
Inspection Date: 3/9/2020
Follow Up: 4/6/2020

Enclosed you will find a correction notice for the above listed address. I am not sure if you are aware of these violations. Nothing has been done to resolve them and below you will find a timeline of how everything transpired.

1/3/2020 - I received a complaint regarding the number of vehicles being parked at 8443 University Avenue. After some investigating, I found the SUP that was connected in Laserfiche to Infinity Automotive Certificate of Occupancy. (See attached)

1/6/2020 – I stopped out at the property to verify the number of vehicles. I went into the business and spoke with a gentleman saying he was the manager. I let him know about the complaint and he made a copy of the SUP. I asked if I could take some pictures of the vehicles for documentation and he complied.

1/6/2020 – 1/10/2020 – During this week I received a phone call from Nancy stating she was the owner. She had questions about the SUP, since it is dated 9/12/2002. I let her know that when a business changes owner but not uses, a SUP and/or CUP stays with the building. She stated that she was going to look into applying for a new/more updated CUP.

3/27/2020 – I received a complaint regarding the number of vehicles being parked at 8443 University Avenue.

3/30/2020 – I drove by the property and notice multiple cars in both lots.

3/30/2020 – I mailed out a correction letter, (See attached)

3/30/2020 – 4/3/2020 - During this week I received a phone call from Nancy the owner. She told me about not being able to get payment from some customers. I told her that I understood the difficulties, but still need to follow up on complaints from the residents of Spring Lake Park.

4/6/2020 – I requested the Spring Lake Park police department to get a vehicle count outside of business hours.

4/7/2020 – I received a police report stating that there were twenty cars in the rear lot and fourteen in the front lot. The SUP states that five vehicles can be parked overnight in the front lot and six vehicles parked overnight in the rear lot.

This letter is to let you know that any Administrative Offense tickets issued will be issued to the owner of the property. My apologies for not sending the enclosed violation letter to you directly.

A follow-up inspection will be conducted on **May 12, 2020** to verify compliance. Failure will result in issuance of an Administrative Offense Ticket carrying a fine of \$50.00 for each violation (Per Vehicle). Your immediate attention and correction of this violation is required.

If you have any questions or concerns regarding your violation, please contact me at jbaker@slpmn.org or 763-792-7212.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Baker', followed by a horizontal line.

Jeff Baker
Code Enforcement Director

Cc: Address file
Jenny Gooden, Executive Assistance



Code Enforcement Division
1301 81st Avenue NE
Spring Lake Park, MN 55434
www.slpmn.org

Infinity Automotive
8443 University Ave NE
Spring Lake Park, MN 55432

March 30, 2020

Inspection Location: 8443 University Ave NE
Inspection Date: 3/30/2020

This letter is in follow-up to a complaint the Code Enforcement department received concerning a code violation(s) at the above referenced address.

Action(s) necessary to abate violation(s)

(1) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces. (2) All work shall be performed within a completely enclosed building. (3) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited. (4) The sale of vehicles shall be prohibited, unless permitted by this chapter or allowed by conditional use. (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors. (SLPCO 153.120 (B)1-5).

-Per your Special Use Permit dated 9/12/2002 (Enclosed with this letter). No more than 5 key drop off vehicles parked overnight (24 hours) on the west side of the property with a maximum of 6 vehicles in the rear (east) parking lot for no more than 5 days. ***-Please remove the correct number of vehicles to comply with the restrictions of your Special Use Permit.***

A follow-up inspection will be conducted on **April 6, 2020** to verify compliance. Failure will result in issuance of an Administrative Offense Ticket carrying a fine of \$50.00 for each violation (Per Car). Your immediate attention and correction of this violation is required.

Only one information notice will be issued within a 12-month period. All subsequent violations of noted sections will dictate the issuance of an Administrative Citation with fine(s).

If you have any questions or concerns regarding your violation, please contact me at jbaker@slpmn.org or 763-792-7212.

Sincerely,

Jeff Baker
Code Enforcement Director

Cc: Address file
Jenny Gooden, Executive Assistance

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:20079481

Incident #: 20079481

Event

8443 UNIVERSITY AVE NE SPRING LAKE PARK, MINNESOTA 55432

Description of Incident: MISCELLANEOUS OFFICER
Reported Date: 04/07/2020 00:55:07
Time Assigned: 00:55
Time Arrived: 00:55
Time Cleared: 00:59
Incident Start Date: 04/07/2020 00:55:07
Exceptional Clearance: NOT APPLICABLE
Latitude: 45.121881
Longitude: -93.262771
Case Summary: FU For Code Enforcement
Confidential?: No

Owner Data (1)

INFINITY AUTOMOTIVE W

Related Offenses: MISCOFF MISCELLANEOUS OFFICER
Address: 8443 UNIVERSITY AVE NE
City: SPRING LAKE PARK
State: Minnesota
Zip Code: 55432
Latitude: 45.12188871302661
Longitude: -93.26277874084505
Business Phone: (763)-213-9548

Offenses (1)

MISCOFF MISCELLANEOUS OFFICER

UCR/NIBRS Code: 999 NIBRS non-reportable
Location Type: Commercial/Office Building
Bias Motivation: NONE
Attempted/Completed: Completed
Offender Suspected of Using: Not Applicable
Weapon Types:
Weapon Automatic1:

Vehicle (0)

Related Offense:
Towed By:

Narrative (1)

ORIGINAL OFFICER NARRATIVE

SPECIAL USE PERMIT CONDITIONS FOR: 8443 UNIVERSITY AVENUE N.E.

Life Time Auto Repair: 9/12/2002

An amended SUP for the approval to operate a light auto repair business w/ conditions;

1. Hours 7AM/9PM M/F 8AM/6PM Sat.
2. Overhead doors to be closed.
3. Dumpster enclosure.
4. Light plan to be submitted to council.
5. No outside storage of vehicles, equipment or parts.
6. Service vehicles may be parked on the west or rear of the building per plan dated 4/7/95.
7. Restripe per plan of 4/7/95.
8. Noise during the normal business hours must be maintained at a level so as not to disturb and residents if a problem arises hours of operation may be adjusted.

Aurora Tech: 11/3/2003

An amended SUP for the approval to operate a light auto repair business w/ conditions;

1. Hours 7AM/9PM M/F 7AM/4PM Sat.
2. Overhead doors to be closed.
3. No more than 5 key drop off vehicles parked overnight (24 hours) on west side of property w/ a max of 6 vehicles in rear (east) parking lot for no more than 5 days & no outside storage of parts or equipment.
4. Installation of a 4 foot chain link fence w/ rolling gate on the NE corner of the building.

**Denied for a used car sales lot.

BEAUBARY OIL INFINITY
AUTO 8443
5W30 60 - 180 gallons
5W20 60 - 180 gallons * REAR
ATF 50 - 120 gallons ROOM
Ant. Freeze 2 x 55 gallons STORAGE
OW20 }
5W30 } 50 - 120 gallons
WASHER fluid 50 - 120 gallons

8443 University Avenue

Life time Auto Repair Special Use Permit Issued: 9/19/2002

an amended SUP for the approval to operate a light auto repair business w/ conditions; 1] hours 7AM/9PM M/F 8AM/6PM Sat, 2] OH doors to be closed, 3] dumpster enclosure, 4] light plan to be submitted to council, 5] no outside storage of vehicles, equipment or parts, 6] service vehicles may be parked on the W or rear of the bldg., per plan dated 4/7/95, 7] restripe per plan of 4/7/95, 8] noise during the normal business hours must be maintained at a level so as not to disturb and residents if a problem arises hours of operation may be adjusted.

Aurora Tech Special Use Permit Issued: 11/3/2003

an amended SUP for the approval to operate a light auto repair business w/ conditions; 1] hours 7AM/9PM M/F 7AM/4PM Sat, 2] OH doors to be closed, 3] no more than 5 key drop off vehicles parked overnight (24 hours) on W side of property w/ a max of 6 vehicles in rear (east) parking lot for no more than 5 days & no outside storage of parts or equipment, 4] installation of a 4 foot chain link fence w/ rolling gate on the NE corner of the building.

From: [Carlson, Phil](#)
To: [Carlson, Phil](#)
Subject: FW: CUP application
Date: Thursday, August 19, 2021 2:39:24 PM

From: Nancy Singh <nancy@infinityautoshop.com>
Sent: Wednesday, August 18, 2021 12:37 PM
To: Carlson, Phil <Phil.Carlson@stantec.com>
Cc: Lisa Dircks <ldircks@slpmn.org>; Wanda Brown <wbrown@slpmn.org>; Jeff Baker <jbaker@slpmn.org>; Daniel Buchholtz <dbuchholtz@slpmn.org>
Subject: RE: CUP application

Phil,

Ideally, 10 vehicles in the rear of the building would be good. 8-10 vehicles in the front would suffice to keep our business moving. At this stage in our business, we are so busy that we've fallen behind in repairs due to staff taking vacations/Covid, so we are attempting to play catch up.

We are certain we can comply with that SUP and I will ensure I do everything to abide by that.

In regards to your comment about failure to comply with the SUP, we didn't even know it existed until 2020, 4 years after we opened for business. We scrambled to get the work out that was pending during that time it was brought to our attention. I did everything in my power to contact the customers that 'abandoned' their vehicles due to non-payment etc., before finally agreeing to impound the vehicles.

I hope this clears things up and we can come to a resolution that benefits everyone.

Thank you,
Nancy

From: Nancy Singh <nancy@infinityautoshop.com>
Sent: Monday, August 9, 2021 1:08 PM
To: Daniel Buchholtz <dbuchholtz@slpmn.org>
Cc: Lisa Dircks <ldircks@slpmn.org>; Carlson, Phil <Phil.Carlson@stantec.com>; Wanda Brown <wbrown@slpmn.org>; Jeff Baker <jbaker@slpmn.org>
Subject: RE: CUP application

Dan,

Typically, over the weekends, we do not fill the front lot up with too many vehicles to deter from theft (as you already know, we've encountered numerous thefts over

the course of the last year). The current SUP states that we can only have 5 vehicles stored on the lot and that's not feasible. The business has anywhere from 10 to 15 customer vehicles that are in for service. I work with over 10 dealers in SLP and surrounding areas performing service and detail to get the vehicles lot ready. The rule of thumb when performing service is 3 days, from mechanical to detail and then delivery. These vehicles are not sitting for extended periods of time unless, as of recently, due to Covid, there's delays in parts. I typically park vehicles in the back if it's pending parts. Some jobs require longer repair times and that is also a factor if a vehicle sits there. Some of the vehicles have been abandoned and due to mechanic's lien and timely process that is, that is also a factor.

So, in lesser words, I just need to be able to meet the needs of our business along with meeting the city's needs as well without receiving repercussions or backlashes on those needs.

Let me know if you have any further questions. You can reach out my email, phone or text.

Thank you,
Nancy

Daniel R. Buchholtz
Administrator, Clerk/Treasurer
City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432
(763) 784-6491

10. New Business:A. Planning and Zoning:1. Amended Special Use Permit to Operate an Automotive Window Tinting and Automotive Accessory Business in a C-2 Commercial District Adjacent to a Residential District. 8445 University Avenue. Tom Yang. Street Scenes Tint.

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the request at its October 27, 2003 meeting.

Mr. Yang stated that he proposes to operate an automotive window tinting business at 8445 University Avenue and he will also install car stereo and alarm systems and offer automotive accessories for sale.

Mr. Yang explained that vehicles will be brought into the building where film is placed on the window(s) with a mixture of water and baby shampoo therefore, there are no toxic materials used or stored within the facility. Mr. Yang stated that the process takes approximately four hours to dry and cure before the vehicle is moved out of the building and into the parking lot.

Councilmember Mason asked if tires will be mounted at this facility. Mr. Yang replied positively explaining that tire repair will be done at another location and the tire is merely replaced on the vehicle at his facility. Mr. Yang stated that the doors of the building will be closed at all times adding that the work area is air conditioned so there should be no need to have the doors open except to drive vehicles in and out.

Mayor Wells read the Planning Commission's motion for approval of the Special Use Permit for Street Scenes Tint.

Councilmember Carlson stated that she would prefer No. 4 to read, "Noise during the normal business hours must be maintained at a level so as not to disturb any residents" rather than "Noise outside the"... The Council agreed.

MOTION BY COUNCILMEMBER HAWLEY APPROVING A SPECIAL USE PERMIT TO OPERATE AN AUTOMOTIVE WINDOW TINTING AND AUTOMOTIVE ACCESSORY BUSINESS AT 8445 UNIVERSITY AVENUE NE, AS REQUESTED BY TOM YANG, WITH THE FOLLOWING CONDITIONS: (1) HOURS OF OPERATION: MONDAY THROUGH FRIDAY: 9 AM TO 6:30 PM, SATURDAY AND SUNDAY: 12 NOON TO 5:30 PM; (2) NO OUTSIDE STORAGE OF VEHICLES OR MATERIALS; (3) OVERHEAD DOORS TO BE KEPT CLOSED AT ALL TIMES EXCEPT FOR THE MOVEMENT OF VEHICLES IN AND OUT OF THE BUILDING; AND (4) NOISE DURING THE NORMAL BUSINESS HOURS MUST BE MAINTAINED AT A LEVEL SO AS NOT TO DISTURB ANY RESIDENTS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

2. Amended Special Use Permit to Provide Light Auto Repair Services Adjacent to a Residential District. 8443 University Avenue NE. Paul Johnson/T. J. Murphy. Aurora Tech

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the Amended Special Use Permit at their October 27, 2003 meeting.

Mr. Paul Johnson stated that he is proposing to establish as automotive service center for light, general auto repair work including brakes, oil changes, shocks and alignments at 8443 University Avenue.

Mr. Johnson explained that until the rolling gate is installed at the northeast corner of the building two posts with a chain between them will be installed to deter vehicular traffic to the rear parking lot after hours.

Mayor Wells, referring to the condition regarding outside storage, asked Attorney Carson for a definition of storage.

Attorney Carson stated his belief that a vehicle currently being worked on is not considered to be stored however, the Council could state the number of days a vehicle can be parked in the back lot.

Councilmember Carlson pointed out that other Special Use Permits have stated a certain number of vehicles that can be stored outside. Mayor Wells suggested that the condition could state that there could be outside storage of a certain number of vehicles for a certain period of time but no storage of equipment or parts.

Building Official Brainard pointed out that the Planning Commission preferred no vehicle parking in front of the building after hours, with all vehicles behind the rolling gate which would secure the rear area.

Attorney Carson suggested that vehicles should not be parked more than 24 hours on the University Avenue side of the site.

Councilmember Mason stated her opinion that the number of bays inside should coincide with the number of vehicles outside. Brief discussion regarding the number of vehicles stored outside for a specified period of time.

MOTION BY COUNCILMEMBER HAWLEY APPROVING AN AMENDED SPECIAL USE PERMIT TO PROVIDE LIGHT AUTO REPAIR SERVICES ADJACENT TO A RESIDENTIAL DISTRICT AT 8443 UNIVERSITY AVENUE NE, AS REQUESTED BY PAUL JOHNSON AND T.J. MURPHY, (AURORA TECH) WITH THE FOLLOWING CONDITIONS: (1) HOURS OF OPERATION: MONDAY THROUGH FRIDAY: 7 AM TO 9 PM; SATURDAY 7AM TO 4 PM AND NO SUNDAY HOURS; (2) DOORS MUST BE CLOSED DURING HOURS OF OPERATION (3) NO MORE THAN FIVE (5) KEY DROP OFF VEHICLES PARKED OVERNIGHT (24 HOUR PERIOD) ON THE UNIVERSITY SIDE (WEST) OF THE SITE; MAXIMUM OF SIX (6) VEHICLES IN REAR (EAST) PARKING LOT FOR NO MORE THAN FIVE (5) DAYS AND NO OUTSIDE STORAGE OF PARTS OR EQUIPMENT AND (4) INSTALLATION OF A FOUR FOOT CHAIN LINK FENCE WITH ROLLING GATE ON THE NORTHEAST CORNER OF BUILDING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

3. Special Use Permit to Operate a Motorcycle Manufacturing and Repair Business in an I-1 District. 8421 Center Drive NE. Tom Tengerdy. Blue Flame Custom Cycles

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the Special Use Permit at their October 27, 2003 meeting.

Mr. Tom Tengerdy stated that his prospective tenant, Jeff Miles, proposes to conduct a custom motorcycle manufacturing and repair business at 8421 Center Drive. Mr. Tengerdy explained that the 3500 square foot space will contain a showroom, a parts department, office, manufacturing and storage areas. Mr. Tengerdy stated that the manufacturing area is equipped to build custom motorbikes, is ventilated to eliminate odors and the three workstations contain an overhead exhaust fan to vent fumes outside.

Mayor Wells asked Mr. Miles to explain how he conducts his business. Mr. Miles stated that he builds custom ordered motorcycles from "scratch" and performs motorcycle repair.



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"/> Site Plan/Building Plan Review | <input type="checkbox"/> Minor Subdivision |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Conceptual Plan Review | <input type="checkbox"/> Lot Combination |
| <input type="checkbox"/> Ordinance Amendment (Text) | <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Variance | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Street or Easement Vacation | <input type="checkbox"/> Other _____ |

PROPERTY INFORMATION

Street Address: 8443 UNIVERSITY AVENUE NE SPRING LAKE PARK
Property Identification Number (PIN#): _____ Current Zoning: Choose Current
Legal Description
(Attach if necessary): _____

APPLICANT INFORMATION

Name: NANCY SINGH Business Name: INFINITY AUTOMOTIVE
Address: 8443 UNIVERSITY AVENUE NE State: MN Zip Code: 55432
City: SPRING LAKE PARK E-mail: nancy@infinityautoshop.com
Telephone: 763-229-1295 Fax: 763-784-6494 Title: _____
Contact: Nancy Singh

OWNER INFORMATION (if different from applicant)

Name: RPG Auto Mall / Shirzad Raimi Business Name: RPG Auto Mall
Address: 501 Concorde Place State: MN Zip Code: 55337
City: Burnsville E-mail: _____
Telephone: 952-595-9261 Fax: _____ Title: _____
Contact: Stephanie Aldana

DESCRIPTION OF REQUEST (attach additional information if needed)

Existing Use of Property: Automotive Repair & Detail
Nature of Proposed Use: Automotive Repair & Detail
Reason(s) to Approve Request: Old CUP is outdated, doesn't currently support our business structure

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE

Project Name: _____ Date of Application: _____
Nature of Request: _____

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

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park required 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.

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

charmya@infinityautoshop.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. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant:

MSingh

Date:

6/15/2020

Owner:

Shirad Rai

Date:

6/16/2020

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

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. Our automotive repair & detail facility is a huge benefit to our community and has become a staple for automotive needs. We have become very well known for our services.
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. Our facility is very safe & we perform safety protocols daily, weekly & monthly. Due to the nature of our business, it is protocol
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. Chapter 153 - Inspection Access - yes it will comply with access to inspections.
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. The proposed use will not have a detrimental effect on the use & enjoyment of other property in the immediate vicinity

5. That the use will not lower property values or impact scenic views in the surrounding area. The use will not lower property values or impact scenic views.
6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. yes all existing utilities will be adequate
7. That the use includes adequate protection for the natural drainage system and natural topography. yes
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. yes - all measures to prevent nuisances of all kinds.
9. That the proposed use will not stimulate growth incompatible with prevailing density standards. The use will not contribute to any growth incompatible with prevailing density standards -

Daniel Buchholtz

From: CAROLYN LOHMAN <cal3419@yahoo.com>
Sent: Tuesday, August 17, 2021 7:51 AM
To: Daniel Buchholtz
Cc: Wanda Brown
Subject: Public Hearing - 8/23 - Infinity Automotive

Mr. Buchholtz,

I am unable to attend the Public Hearing and am providing these written comments instead.

I support Infinity Automotive's petition to obtain a conditional use permit to operate their automotive repair and detailing business. Infinity Automotive provides a great auto repair and detailing service to the residents of Spring Lake Park. They have been at this location several years, providing this stable service. Previously, several similar type businesses came and went. One even went door-to-door selling and oil change program that then was worthless when they went out of business. (I know I bought one to support the local business). Dave Singh is a friendly and knowledgeable business owner - he is fair and he knows his business and his customers.

Most employers in the nation are small business owners, like Dave. I would suspect that most of the businesses in Spring Lake Park are also small business owners... they provide a stable tax base for our city. I urge the SLP City Council to approve this petition.

Regards,
Carolyn A. Lohman
359 Manor Dr NE
Spring Lake Park, MN 55432
Cell 612-554-5454

[Sent from Yahoo Mail for iPad](#)

AFFIDAVIT OF SERVICE BY MAIL

STATE OF MINNESOTA
COUNTY OF ANOKA & RAMSEY

I, Wanda Brown, of the City of Spring Lake Park, Counties of Anoka and Ramsey, State of Minnesota, being duly sworn, upon oath says that on August 13, 2021, I served a notice of public hearing to be held on August 23, 2021, at 7:00 PM to consider a request for a conditional use permit to operate an automotive repair and detailing business at 8443 University Avenue NE (Outlot 11 Terrace Manor 4th except S 30ft thereof, subject to easement of record).

Each copy of this notice was in a securely sealed and stamped envelope. One copy was addressed to each person whose name appears on the attached list.

By depositing a true and correct copy thereof in the United States mailbox/post office located 1301 81st Ave NE Spring Lake Park MN 55432 with postage prepaid thereon.

Wanda Brown

Wanda Brown

Subscriber and sworn to before me this

16th day of August in the year 2021

Daniel Ryan Buchholtz

Notary Public



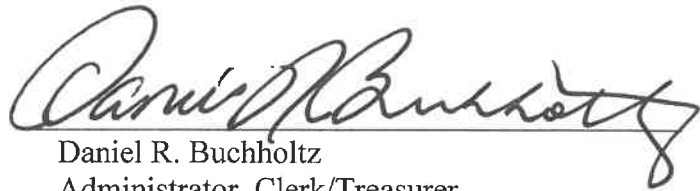


CITY OF SPRING LAKE PARK
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Spring Lake Park Planning Commission will hold a public hearing on Monday, August 23, 2021 at 7:00pm, or soon thereafter, to consider the following:

Property Owner: RPG Auto Mall, LLC
Applicant: Infinity Automotive
Location: 8443 University Avenue NE (Outlot 11 Terrace Manor 4th,
except S 30 ft thereof, subject to easement of record)
Petition: The applicant is seeking a conditional use permit to operate an
automotive repair and detailing business.

The public hearing will be held at Spring Lake Park City Hall, 1301 81st Avenue NE,
Spring Lake Park, MN. Interested individuals or organizations are encouraged to submit written
comments prior to the hearing. All interested parties will be heard.



Daniel R. Buchholtz
Administrator, Clerk/Treasurer

Posted: August 9, 2021
Published: August 9, 2021

Anoka County Parcel Viewer



Parcel Information:

02-30-24-21-0159
 8443 UNIVERSITY AVE NE
 SPRING LAKE PARK
 MN 55432
 Plat: TERRACE MANOR 4TH

Approx. Acres: 1.03

Commissioner: ROBYN WEST

Owner Information:



RPG AUTO MALL LLC
PIN: 02-30-24-21-0159
301 CONCORDE PL
BURNSVILLE, MN 55337

ELM THOMAS G & SUSAN M
PIN: 02-30-24-21-0121
383 LUND AVE NE
SPRING LAKE PARK, MN 55432

SVOBODA S R & OLSZEWSKI T ...
PIN: 02-30-24-21-0123
8430 5TH ST NE
SPRING LAKE PARK, MN 55432

VANALSTINE, STEFANIE L
PIN: 02-30-24-21-0070
358 MANOR DR NE
SPRING LAKE PARK, MN 55432

NORTHERN NATURAL GAS CO
PIN: 02-30-24-21-0001
PROPERTY TAX DEPT
OMAHA, NE 68103

LOHMAN CAROLYN A
PIN: 02-30-24-21-0055
359 MANOR DR NE
SPRING LAKE PARK, MN 55432

PALMATEER, ERIC
PIN: 02-30-24-21-0068
374 MANOR DR NE
SPRING LK PARK, MN 55432

SHAW JUNE E
PIN: 02-30-24-21-0067
400 MANOR DR NE
SPRING LAKE PARK, MN 55432

MELLEMA, RYAN
PIN: 02-30-24-21-0053
375 MANOR DR NE
SPRING LAKE PARK, MN 55432

RALSTON ROBERT W & SHARO...
PIN: 02-30-24-21-0043
308 MAPLE ST NE
SPRING LAKE PARK, MN 55432

HERNANDEZ, CLAUDIO R MIRA...
PIN: 02-30-24-21-0071
350 MANOR DR NE
SPRING LAKE PARK, MN 55432

DEMKO GEORGE R & SUE A
PIN: 02-30-24-21-0126
8400 5TH ST NE
SPRING LAKE PARK, MN 55432

ROBERTS, TIMOTHY J
PIN: 02-30-24-21-0150
8391 5TH ST NE
SPRING LAKE PARK, MN 55432

MCDONALD WILLIAM A
PIN: 02-30-24-21-0128
3837 73RD ST E
INVER GROVE HEIGHTS, MN 55...

MUNSON, ADAM
PIN: 02-30-24-21-0125
8410 5TH ST NE
SPRING LAKE PARK, MN 55432

GONZALEZ, JHONY ARIZA
PIN: 02-30-24-21-0149
8401 5TH ST NE
SPRING LAKE PK, MN 55432

MARTIN, JERRY T
PIN: 02-30-24-21-0074
300 MANOR DR NE
SPRING LAKE PARK, MN 55432

STENSRUDE MERLYN & TERRY
PIN: 02-30-24-21-0124
8420 5TH ST NE
SPRING LAKE PARK, MN 55432

MUELLER, DENISE
PIN: 02-30-24-21-0122
2941 RHODE ISLAND AVE S
ST LOUIS PARK, MN 55426

FRANK MICHAEL R & SALLY M
PIN: 02-30-24-21-0041
358 MAPLE ST NE
SPRING LAKE PARK, MN 55432

GORDON LEE PROPERTIES LL...
PIN: 02-30-24-21-0163
8421 UNIVERSITY AVE NE
SPRING LAKE PARK, MN 55432

DESROSIERS BERINTHIA
PIN: 02-30-24-21-0119
409 LUND AVE NE
SPRING LAKE PARK, MN 55432

BECKER ROBERT A & REBECC...
PIN: 02-30-24-21-0120
401 LUND AVE NE
SPRING LAKE PARK, MN 55432

CONNELL, MARYAN
PIN: 02-30-24-21-0069
366 MANOR DR NE
SPRING LAKE PARK, MN 55432

PALACIOS RAQUEL C ETAL
PIN: 02-30-24-21-0059
301 MANOR DR NE
SPRING LAKE PARK, MN 55432

VENTURA JUAN M & RUIZ M R
PIN: 02-30-24-21-0057
317 MANOR DR NE
SPRING LAKE PARK, MN 55432

ODDA, ZERIHUN
PIN: 02-30-24-21-0044
300 MAPLE ST NE
SPRING LAKE PARK, MN 55432

SMITH VINCENT L
PIN: 02-30-24-21-0148
400 LUND AVE NE
SPRING LAKE PARK, MN 55432

8355 UNIVERSITY AVE LLC
PIN: 02-30-24-21-0102
8870 RENDOVA ST NE
CIRCLE PINES, MN 55014

ROWE JEFFREY D & CYNTHIA ...
PIN: 02-30-24-21-0147
408 LUND AVE NE
SPRING LAKE PARK, MN 55432

BROTHERS RANDY J & LYNDA L
PIN: 02-30-24-21-0073
308 MANOR DR NE
SPRING LAKE PARK, MN 55432

COLLETTI JAMES M & JEAN L
PIN: 02-30-24-21-0056
351 MANOR DR NE
SPRING LAKE PARK, MN 55432

HUGHES K A R & BROWN K J
PIN: 02-30-24-21-0054
367 MANOR DR NE
FRIDLEY, MN 55432

GREIVELDINGER JR, DONALD ...
PIN: 02-30-24-21-0042
350 MAPLE ST NE
SPRING LAKE PARK, MN 55432

SCHLICHTING STEVEN J & M R
PIN: 02-30-24-21-0127
8390 5TH ST NE
SPRING LAKE PARK, MN 55432

LASOTA, DAVID LEE
PIN: 02-30-24-21-0058
309 MANOR DR NE
SPRING LK PK, MN 55432

FULLER, WILLIAM A
PIN: 02-30-24-21-0164
6120 BUR OAKS LN
NAPLES, FL 34119

CANELA, JOSE M
PIN: 02-30-24-21-0072
11043 PRESIDENT DR NE
BLAINE, MN 55434

WAL-MART REAL ESTATE BUS ...
PIN: 02-30-24-22-0012
PO BOX 8050
BENTONVILLE, AR 72712