



PLANNING COMMISSION AGENDA
MONDAY, JULY 25, 2022
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 27, 2022
5. **PUBLIC HEARING**
 - A. Public Hearing on Interim Use Permit Request From Tint Pros to Allow Automobile Sales at 1313 Osborne Road NE
6. **OTHER**
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 27, 2022 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

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

2. ROLL CALL

MEMBERS PRESENT

Commissioner Jeff Bernhagen
Commissioner Rick Cobbs
Commissioner Eric Julien

MEMBERS ABSENT

Chair Hans Hansen
Commissioner Kelsey Hollihan

STAFF PRESENT

Building Official Jeff Baker

OTHERS PRESENT

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes – May 23, 2022

Motion made by Commissioner Cobbs, seconded by Commissioner Julien to approve the minutes from the May 23, 2022 Planning Commission meeting.

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien. Motion carried.

5. PUBLIC HEARING

A. Ordinance Amending Chapter 16 Establishing Interim Use Permits and Amending Section 16.64.040 Relating to Schedule of Uses

Building Official Baker noted the changes to the Ordinance that the City Attorney wanted included. He went on to explain that the proposed ordinance amendment is in response to a request from Tint Pros to amend the City Code to permit auto sales in the I-1 Zoning District. Building Official Baker pointed out that the Planning Commission previously recommended

approval of an amendment to the zoning code permitting auto sales as a conditional use in the I-1 district. He said concerns were raised by City Councilmembers and Commissioners about opening up auto sales in another zoning district. He said establishing auto sales as an interim use is a good solution, as interim use permits end on a date certain, rather than run with the land.

Commissioner Bernhagen opened the public hearing at 7:04 PM. Seeing no one in the audience the public hearing was closed at 7:04 PM.

Motion by Commissioner Cobbs, seconded by Commissioner Julien to recommend the Ordinance Amending Chapter 16 Establishing Interim Use Permits and Amending Section 16.64.040 Relating to Schedule of Uses as written with amending of Auto Sales from a conditional use to an interim use in the C-2 Zoning District.

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien. Motion Carried.

7. OTHER

None

8. ADJOURN

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

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien. Motion carried.

Meeting adjourned at 7:07 PM.



Memorandum

To: Chair Hansen and Members of the Planning Commission

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: July 19, 2022

Subject: Tint Pros Interim Use Permit

Tint Pros, 1313 Osborne Road, has applied for an interim use permit to permit automobile sales in the I-1 zoning district.

Tint Pros originally applied for a conditional use permit to allow their business to expand into the 1313 Osborne Road premises. They also applied for a text amendment to permit auto sales in the I-1 zoning district as a conditional use. The City Council approved the request from Tint Pros to approve a conditional use permit to allow auto detailing and light repair at 1313 Osborne Road on June 6, 2022.

The City Council, in consultation with the Planning Commission, came to consensus that auto sales as a conditional use is not appropriate for the I-1 zoning district but that it may be appropriate for an interim use. An ordinance amending the zoning code to establish an interim use permit process and to include automobile sales as an interim use was considered by the Commission at its June 27 meeting and subsequently approved by the City Council at the July 5 Council meeting.

The difference between a conditional use and an interim use is that a conditional use is a permitted use with reasonable conditions that runs with the land. An interim use ends at a specific time or event.

After discussing the City Council's action with the applicant, Tint Pros agreed to amend their application to seek an interim use permit to permit automobile sales in the I-1 zoning district.

Staff has reviewed the application and recommends approval of the interim use permit with the following conditions:

1. The applicant shall store automobile vehicles for sale inside the building. No outdoor storage of vehicles and associated merchandise is permitted.
2. The interim use permit shall expire either upon the sale or transfer of ownership of the building and/or business, a violation of the conditions of the interim use permit or a change in the City's zoning regulations which renders the use nonconforming, whichever is earlier.

We recommend the following findings of fact for approval of the interim use permit:

1. The proposed use is a reasonable use of the property, anticipated as an Interim Use in the I-1, Light Industrial District.
2. Automobile sales will occur entirely inside a building, thereby not having a detrimental effect on surrounding properties or lower property values.
3. Adjacent roadways and the existing parking lot are adequate to handle anticipated traffic and vehicles using the site.
4. No changes are proposed to site grading and drainage and therefore stormwater management should be adequate as it exists now.
5. There are no unusual odors, fumes, dust, noise or vibration associated with the interim use.
6. No residential use is proposed on the site and therefore incompatible growth in that regard is not an issue with this use.

If you have any questions regarding the application, please do not hesitate to contact me at 763-784-6491.