



PLANNING COMMISSION AGENDA
MONDAY, APRIL 28, 2025
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 - January 27, 2025 Planning Commission Meeting
- 5. PUBLIC HEARING**
 - [A.](#) Public Hearing - Conditional Use Permit - Big Chiefs Auto - 1810 County Highway 10 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 January 27, 2025, 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 Eric Julien

Commissioner Sharon Weighous

MEMBERS ABSENT

Commissioner Brad Delfs

STAFF PRESENT

Building Official Jeff Baker

OTHERS PRESENT

Ken Wendling

547 81st Avenue NE

Spring Lake Park MN 55432

3. PLEDGE OF ALLEGIANCE

4. ELECT OFFICERS

A. Chair

Motion made by Commissioner Julien, seconded by Commissioner Cobbs, to elect Commissioner Hansen as Chair for 2025.

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

B. Vice Chair

Motion made by Commissioner Weighous, seconded by Commissioner Cobbs, to elect Commissioner Weighous as Vice Chair for 2025.

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

5. APPROVAL OF MINUTES

A. Approval of Minutes – November 25, 2024 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 Cobbs, Commissioner Julien, Chairperson Hansen. Motion carried.

6. OLD BUSINESS

A. Review and Recommend Approval of Proposed Sight Distance Triangle Ordinance

Building Official Baker gave an overview of the Sight Triangle Ordinance. He stated that the Ordinance had some changes made since the first review in November of 2024. He stated that instead of 50 feet from the corner of the curb, it is now 30 feet. Building Official Baker stated that the biggest change is the 75% transparency. He stated that no structure within the area may exceed 48 inches in height from grade level.

Building Official Baker noted that the ordinance resolves inconsistent descriptions and standards have been removed to create a unified and enforceable standard. He said the ordinance prioritizes unobstructed visibility within the sight triangle to enhance traffic safety.

Commissioner Hansen noted that the city would be focusing on visual obstructions, such as trees, shrubs, and fences, that may hinder visibility at street corners.

Commissioner Weighous inquired if there are any residents that are grandfathered into the new ordinance. Building Official Baker stated that everyone has corrective actions taken against them. He stated that unless the resident comes into City Hall to get a new permit to rebuild he will not act, however once they do they must come into compliance.

Motion made by Commissioner Julien, seconded by Commissioner Cobbs to Recommend Approval of Proposed Sight Triangle Ordinance.

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

7. OTHER

Building Official Baker gave an update on the City Hall Renovation/ Expansion Project at City Hall. Commissioner Weighous inquired about the location for the meetings. Building Official Baker said that the date will be announced later once the video equipment is installed.

Commissioner Hansen inquired about training for City staff on Active Shooters. Building Official Baker said he was not aware of any upcoming training for staff. Councilmember Wendling stated that the walls of City Hall are bullet proof/bullet resistant and doors are heavier.

8. ADJOURN

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

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

Meeting adjourned at 7:18 PM.

To:	Spring Lake Park Planning Commission	From:	Phil Carlson, AICP, Kribashini Moorthy, AICP-C; Stantec
	City of Spring Lake Park		
File:	Big Chiefs Auto 1810 County Highway 10 NE Applicant: Ajemchap T. Nkem Owner: Clara J. Gallagher Trust	Date:	April 28, 2025

Re: Conditional Use Permit, Big Chief's Auto Center, 1810 County Highway 10

INTRODUCTION

The commercial property at 1810 County Highway 10 is owned by the Clara Gallagher Trust. The property is about 0.28 acres in size and occupied by a vacant 4,000-sq-ft building. The lot to the south fronting on Spring Lake Park Road is owned by the same owner and will use that property for parking. Both properties are currently zoned C-2, Neighborhood and Service Center Commercial. The applicant Mr. Nkem wants to operate an auto business from the site, including auto repair, auto body work, tire sales, car wash and car rental, which require a conditional use permit (CUP) as detailed below.

Building Official Jeff Baker inspected the property in February and informed the owner that a CUP was necessary in order to operate an auto repair business on site.

PLANNING & ZONING CONTEXT

The property is guided Commercial on the City's Land Use Plan and zoned C-2 Neighborhood and Service Center Commercial, as illustrated on the map excerpts on the next page.

For C-2 districts, auto and marine service, parts, and repair excluding wash are permitted as a Conditional Use as per 16.64.040 Appendix D: Permitted Uses for Commercial District.

A *conditional use* is considered in planning practice and Minnesota zoning rulings to be a *permitted use* to which reasonable conditions may be attached. It is generally not advisable to deny the use outright unless there are unusual issues with a given site that would make that use inappropriate even with reasonable conditions. Under this approach, we assume that auto repair can be allowed but that the City can attach conditions to the permit to address issues on site.

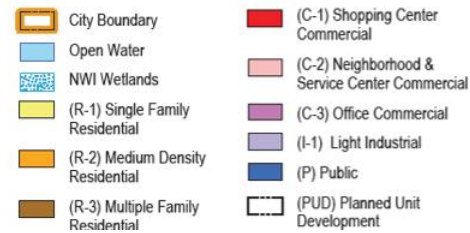
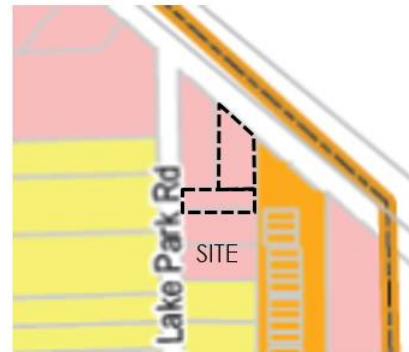


Re: Conditional Use Permit, Big Chief's Auto, 1810 County Highway 10

Future Land Use Map



Zoning Map



HISTORY

The property was previously occupied by SERVPRO, a construction company that used the building for storage and office space. It was an allowed use in the C-2 zoning district and hence it did not require a conditional use permit. The applicant, Ajemchap T.Nkem is renting the property and intends to use it for his business that includes automotive repair, body work and tire sales. These uses are allowed subject to reasonable conditions such as screening, hours of operation, lighting, etc.

CONDITIONAL USE PERMIT

For auto repair body work and tire sales, a conditional use permit is required and is subject to the following specific development standards according to 16.36.010 Specific Development Standards.

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 title 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.
6. Any automobile service station activities shall be subject to the applicable standards for automobile convenience facilities.

Re: Conditional Use Permit, Big Chief's Auto, 1810 County Highway 10

CONDITIONAL USE CRITERIA

The criteria in Section 16.56.030(E)(1) of the Zoning Code related to Conditional Uses are as follows:

- 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;***

The use – auto repair – is assumed to be necessary and desirable.

- 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;***

The use, if conducted properly, will not be detrimental to people in the vicinity. Issues could potentially come up, including noise, unsightly cars, activities late in the evening, venting of odors, gas and fumes, etc.

- c. *The proposed use will comply with the regulations specified in this title for the district in which the proposed use is to be located;***

The site complies with the setback, lot coverage and impervious surface coverage regulations.

- d. *The use is one of the conditional uses specifically listed for the district in which it is to be located;***

The use is listed as a Conditional Use in the C-2 district.

- e. *The proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity;***

Despite the proposed use being permitted as a conditional use, it may have an adverse impact on the adjacent properties. The neighbors have expressed concerns regarding the auto business, particularly due to its proximity to residential properties.

- f. *The use will not lower property values or impact scenic views in the surrounding area;***

The conduct of the use itself will not lower property values, but as noted, the appearance or activity on site with many cars and no green space and landscaping may impact the area.

- g. *Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;***

The streets are adequate to serve the use.

- h. *Sufficient off-street parking and loading space will be provided to serve the proposed use;***

The use is most closely related to “service station” which requires “3 spaces per each service bay plus 1 per each employee on major shift” per 16.64.010 Appendix A: Parking Requirements. There are two service bays on the front of the building, which would require 6 spaces. On the south lot owned with the building site there is room for about 12 parking spaces. That would leave 6 spaces for employees or up to 6 employees. The parking available on site should be adequate.

Re: Conditional Use Permit, Big Chief's Auto, 1810 County Highway 10

i. The use includes adequate protection for the natural drainage system and natural topography;

Since there are no proposed changes to the building and the site, there is adequate protection for natural drainage and 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

It is assumed that the use will continue to limit odor, fumes, dust, noise and vibration as required by the code.

k. The proposed use will not stimulate growth incompatible with prevailing density standards.

Not applicable.

RECOMMENDATION

We recommend that the Planning Commission recommend approval of the Conditional Use Permit including auto repair use for Big Chief's Auto, with the following conditions which incorporate, restate, and modify the current permit conditions, with the following findings of fact:

Conditions of Approval

- 1) 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.
- 2) Body work would be allowed as part of auto service, parts and repair by conditional use.
- 3) Tire sales are allowed as part of conditional use allowed as part of auto service, parts and repair.
- 4) Car wash is not allowed, except to clean cars inside the building for repair customers.
- 5) Car rental is not allowed to outside customers, but only as a courtesy loner to auto repair customers.
- 6) If changes to the building or site are proposed, they must be reviewed by City staff as a potential amendment to the Conditional Use Permit.
- 7) All vehicles on site must be legal and operational for public highways.
- 8) Hours of operation are 9 am to 9 pm, Monday to Friday and 9 am to 6 pm on Saturdays.
- 9) 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.
- 10) Adequate off-street parking needs to be provided.
- 11) 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.

Re: Conditional Use Permit, Big Chief's Auto, 1810 County Highway 10

Finding of Fact for Approval

- 1) The City has specific development standards in the zoning code.
- 2) The current site at 1810 County Highway 10 is zoned C-2 and no changes are proposed to be made to the site and building.
- 3) The uses requested in Conditional Use permit such as auto repair, body work and tire sales only are allowed as conditional use.
- 4) The use as conditioned with this approval meets the criteria for approving a Conditional Use Permit in Section 16.56.030(E)(1) of the City Code.

OPTIONS

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

60-DAY RULE

The Conditional Use Permit application was received on February 13, 2025. The City has extended the deadline for final action upon request for additional 60 days to 120 days as allowed by State statute 15.99. The deadline for final action by the City Council is June 13, 2025.



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: CASH
Received by: WIS
Date Filed: 2/18/25
Date Complete:
Base Fee: 500 Escrow: 1500

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)

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

PROPERTY INFORMATION

Street Address: 1810 County Hwy 10 Spring Lake Park, MN 55432
Property Identification Number (PIN#): _____ Current Zoning: _____

Legal Description:
(Attach if necessary)

APPLICANT INFORMATION

Name: Ajemchap T. Nkem Business Name: Big Chiefs auto & TI center LLC
Address: 1810 County Hwy 10 Spring Lake Park, MN 55432
City/State/Zip Code: Spring Lake Park, MN, 55432
Telephone: 763 339 8868 Fax: _____ E-mail: BigChiefs@ yahoo.com
Contact: _____ Title: Manager

OWNER INFORMATION (if different from applicant)

Name: CLARE GALLAGHER TRUST Business Name: _____
Address: 25904 JIVARD ST. NW
City/State/Zip Code: 25ANTI MN 55040
Telephone: 507-250-0011 Fax: _____ E-mail: _____
Contact: _____ Title: _____

DESCRIPTION OF REQUEST (attach additional information if needed)

Existing Use of Property: RENTAL
Nature of Proposed Use: AUTOMOTIVE REPAIR car rental, Body work, car wash, Tire sales
Reason(s) to Approve Request: I wish to support community with basic car services, and help improve lives of others willing to work with me and build a better family with Spring Lake Park Community.

APPLICATION FEES AND EXPENSES:

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

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

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

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

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

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

☐ E-mail

Bigchiefs1ts@yahoo.com

☐ Fax

☐ USPS

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

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

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

Applicant: [Signature]

Date: 2/13/2025

Owner: [Signature]

Date: 2/13/2025

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

City of Spring Lake Park
Conditional Use Permit/Interim Use Permit Worksheet

A conditional use permit or an interim use permit cannot be approved unless the Planning 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.

To the best of my knowledge this services will positively impact the community of spring lake park and minnesota as a whole.

2. That the proposed 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.

We shall ensure all safety regulations are implemented to the help improve and build a better community.

3. That the proposed use will comply with the regulations specified in Chapter 16 of the City Code.

All codes of good conducts shall be followed to build a better community

4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity.

We will ensure our Neighbors and other property enjoy the best interests of control and maintaining cleanliness and safety

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

Our business will operate to add value to the community and property surrounding us.

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

We shall respect all roads and utilities highways, so as not to impact the community standards.

7. Sufficient off-street parking and loading space is available to serve the proposed use.

We do have off street park and loading and we will make sure we respect all.

8. That the proposed use includes adequate protection for the natural drainage system and natural topography.

More effort will be put to make sure proper drainage enforce and also the topography.

9. 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.

All items or equipment use will meet standards to prevent noise, vibrations, odors to the neighborhood.

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

The proper use of the business shall be followed.

11. Please submit twelve copies of the following documents:

- a. Complete details of the proposed site development, including location of buildings, driveways, parking spaces, garages, refuse disposal areas, loading areas, dimensions of the lot, lot area and yard dimensions. The plans shall identify all adjoining properties
- b. An elevation of at least one building in detail and any sides facing onto all classes of residence districts, if different from the single elevation required.
- c. Complete landscaping plans, including species and size of trees and shrubs, proposed and required screening.*
- d. A site plan indicating final contours at two-foot vertical intervals.*
- e. Proposed sewer and water connections.*
- f. Complete plans for storm water drainage systems sufficient to drain and dispose of all surface water accumulations within the area.*
- g. Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development.*
- h. Complete structural, electrical and mechanical plans for the proposed buildings.*
- i. Complete plans and specifications for exterior wall finishes proposed for all principal and accessory buildings.*

** Items required to be submitted if requested by the Zoning Administrator, Planning Commission or City Council.*



City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, MN 55432
763-784-6491

Receipt: 0000009863
Receipt: 02/18/25
Cashier: WBROWN
Received Of: NKEM, AJEMCHAP T.

1810 COUNTY HIGHWAY 10
SPRING LAKE PARK MN 55432-2228

The sum of: \$1,500.00

BDINV 0000000928

Remaining Balance: \$0.00

Total: \$1,500.00

TENDERED: Cash

\$1,500.00

\$1,500.00



Spring Lake Park

**City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, MN 55432
763-784-6491**

Receipt: 0000009864

Receipt: 02/18/25

Cashier: WBROWN

Received Of: CLARA J GALLAGHER TR

**1645 S BENTSEN PALM DR UNIT 643
PALMVIEW TX 78572-1176**

The sum of: \$500.00

BDINV 0000000927

\$500.00

Remaining Balance: \$0.00

Total: \$500.00

TENDERED: Cash

\$500.00

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, April 28, 2025 at 7:00 PM or soon thereafter, to consider the following:

Property Owner: Clara J Gallagher Tr (Owner)
Applicant: Ajemchap T. Nkem
Location: 1810 Highway 10 NE (PID # 06-30-23-32-0001). The full legal description is available to view at City Hall upon request.
Petition: The applicant is seeking a Conditional Use Permit to operate an auto repair shop, including tire sales and other related automotive services.

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.



Wanda Brown
Deputy City Clerk

Posted: April 18, 2025
Published: April 18, 2025