



PLANNING COMMISSION AGENDA
MONDAY, JANUARY 27, 2020
CITY HALL at 7:00 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **ELECT OFFICERS**
 - a. Chair
 - b. Vice Chair
5. **APPROVAL OF MINUTES**
 - a. [November 25, 2020 Minutes](#)
6. **PUBLIC HEARING**
 - a. [Conditional Use Permit - Cars R Us, LLC, 1109 County Highway 10 NE](#)
7. **OTHER**
8. **ADJOURN**

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

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

Minutes of the Spring Lake Park Planning Commission regularly scheduled meeting held on November 25, 2019 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

1. Call to Order

Chair Bernhagen called the meeting to order at 7:00 P.M.

2. Roll Call

Members Present: Commissioners Bernhagen, Julien, Eischens and Cobbs

Members Absent: Commissioner Hansen

Staff Present: Administrator Buchholtz
Executive Assistant Gooden

Visitors: Councilmember Delfs
Councilmember Goodboe-Bisschoff
City Planner Carlson
John Herman, 7807 Monroe Street NE
Dan Super, Realtor, Spring Lake Park
Josh Pomerleau, JP Brooks Inc.

3. Pledge of Allegiance

4. Approval of Minutes – October 25, 2019

Chairperson Bernhagen stated that he voted NAY on both items on the October 25, 2019, agenda. He asked that the minutes be corrected.

MOTION BY COMMISSIONER EISCHENS, SECONDED BY COMMISSIONER JULIEN, APPROVING THE MINUTES WITH CORRECTIONS OF OCTOBER 25, 2019. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

4. Unfinished Business - Planned Unit Development the north 300 feet of 7700 Monroe Street – JP Brooks Homes, Inc.

Phil Carlson, Stantec, reported that the JP Brooks Planned Unit Development was heard at the Planning Commission meeting on October 28, 2019 and continued so that the Commission could hear from the developer. He stated that the project remains the same as previously submitted and requested a six-lot single-family subdivision fronting Monroe Street, with lots 50 feet wide by 210 feet deep, or about 10,500 square feet each. He said the project requires a PUD to accommodate a reduced lot width of 50 feet, versus the R-1 standard of 75 feet.

Mr. Carlson recommended approval of the preliminary plat and planned unit development applications with the following conditions: 1) the front setback for structures will be 40 feet from the Monroe Street right-of-way; 2) the property will be platted to create six home lots and one outlot for the infiltration storm pond; 3) City utilities will be constructed with the City Engineer’s review and approval; and 4) All grading, erosion control, stormwater management, and other required plans will be reviewed and approved by the City Engineer before building permits are issued.

Commissioner Cobbs inquired as to who would own and be responsible for the pond on the back of the lots. Administrator Buchholtz stated that the developer is proposing to deed the property for the pond to the City for stormwater management and maintenance purposes per the Watershed District.

Chairperson Bernhagen stated that with the lots being 50 feet wide he feels that the City would be setting a precedence for future development. He has concerns with the homes being so close together. Mr. Carlson reported that all the new development requests would have to be brought before the Planning Commission and City Council. He stated that approving this request does not set a precedence for future developments. He explained that future applicants would need to state their case for reasons to build on smaller lots should the issue be brought up.

Commission Eischens inquired if there could be four homes built on the lots at 75 feet wide rather than the six proposed homes. Josh Pomerleau, JP Brooks Inc., stated that the builder did consider this option but because of the infrastructure costs it would not be feasible. He stated that many cities are using this approach of building homes on lot sizes such as these. He reported that proposed homes are split level homes in the \$300,000 - \$400,000 price range with two car garages and approximately 2,000 square feet.

Mr. Pomerleau inquired about the lot split that the Planning Commission approved on Pierce Street. He inquired if a variance was approved for two units to be built on 75-foot lots to accommodate a total of four units. Administrator Buchholtz stated that the variance was approved for two twin homes to be built after the lot split was completed. He stated that the consensus of the City Council is that they would prefer to see single family homes to be built in the future, as the City's recent experience with two-family dwellings is that they are converted into rental properties.

Commissioner Julien stated that the price range of the proposed homes and Spring Lake Park do not seem to fit the neighborhood style. ~~He stated that attached unit homes would be a better option in that neighborhood.~~ He stated his opinion that the new homes would look like castles and would be hard to market.

Administrator Buchholtz stated that the new homes on McKinley Street did sell quickly at the price range of \$350,000.

John Herman, 7807 Monroe Street NE, expressed concern about the significant departure from the minimum lot width. He stated that the homes will not match the existing homes and the new homes will be all garage showing when one looks at the homes. He was concerned with the difference in the setbacks and the width of the homes.

Commissioner Eischens stated that he would like to see four homes built on the 75-foot lot and it would be a better fit and look for the neighborhood. He is concerned with the proposed homes being so close together if there were a fire or other emergency.

Commissioner Julien stated that he feels the proposed plans show too much house for too small of an area. Commissioner Eischens concurred.

Mr. Carlson stated that the request for narrower lots is reasonable in this case as the site could hold greater density under the terms of the City's Zoning Code. He said the site could accommodate between 8-10 twin-home units (4-5 structures) under the terms of a Conditional Use Permit. He stated his opinion that granting a PUD for 6 narrow but deep lots are a reasonable approach to the development of the land. He reminded the Planning Commission that under a Conditional Use Permit twin homes could be built.

Dan Super, Realtor, stated that with the proposal of four homes from the Planning Commission the infrastructure costs would be too great and if twin homes were built on the same size lot, there could be up to eight twin homes/duplexes.

Mr. Pomerleau stated that with these proposed six homes there would be great curb appeal and there would be six single-family homes rather than eight twin home units.

Chairperson Bernhagen stated that the houses that are being proposed are not like any in Spring Lake Park currently and they would look like a new development in a well-established neighborhood. He stated that the surrounding neighbors would not be happy with the newer homes.

Commissioner Cobbs stated that he had a conflict of interest on this project as his company works with the applicant, JP Brooks Homes, Inc., and that he would be abstaining from discussion and vote.

Administrator Buchholtz stated that the Planning Commission would need to have reasons to deny the Planned Unit Development Application for the City Council to review. He stated that the Planning Commission has stated that their concerns include the proposed setbacks on the lots; the size of the proposed homes on the lot size and the close proximity of the homes being built so close together.

MOTION BY JULIEN, SECONDED BY EISCHENS TO DENY THE PLANNED UNIT DEVELOPMENT APPLICATION FOR JP BROOKS HOMES, INC COVERING THE NORTH 300 FEET OF 7700 MONROE STREET NE. ROLL CALL VOTE: JULIEN – AYE; EISCHENS – AYE; BERNHAGEN – AYE; COBBS – ABSTAIN. MOTION CARRIED 3-0.

6. Other

No other business was presented.

7. Adjourn

MOTION BY COMMISSIONER EISCHENS, SECONDED BY COMMISSIONER COBBS TO ADJOURN. VOICE VOTE: ALL AYES. MOTION CARRIED.

The meeting adjourned at 7:34 PM.

To:	Planning Commission City of Spring Lake Park	From:	Phil Carlson, Lauren Walburg, Stantec
File:	Cars R Us LLC – Conditional Use Permit	Date:	January 27, 2019

Re: **Cars R Us LLC CUP | 1109 County Highway 10 NE**

BACKGROUND

Cars R Us LLC proposes to open an auto detailing business in the same building as Car-X, Batteries Plus Bulbs and C & C automotive at 1109 County Highway 10 NE. The property is guided Commercial and zoned C-2: Neighborhood and Service Center Commercial. Auto and marine; service, parts, repair and wash are considered a Conditional Use in this zoning district.

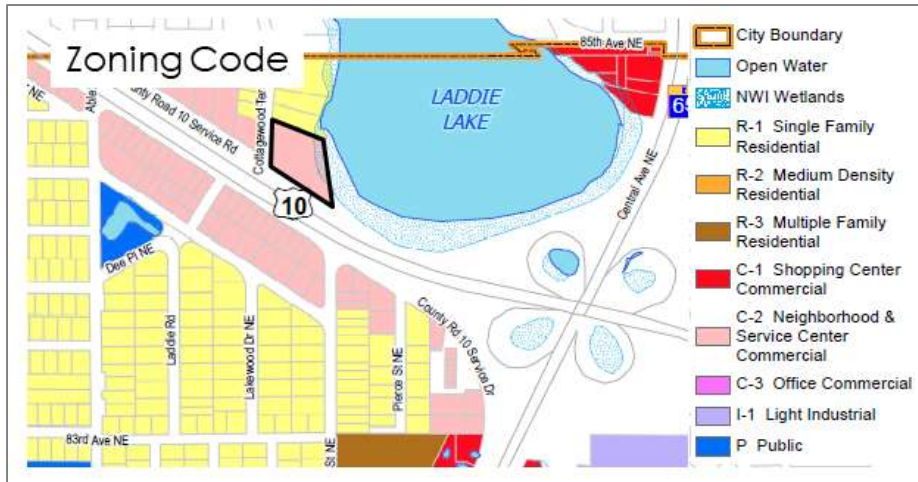
The site is located on the north side of County Road 10 NE and north west of the County Highway 10/Central Avenue NE interchange. The site is accessible by Cottagewood Terrace NE and the adjacent uses are multi-family residential to the west, single-family residential to the north, Laddie Lake to the east and County Highway 10 to the south. The Legends of Spring Lake Park senior apartments are across Highway 10 from the site.



PLANNING ISSUES DISCUSSION

- 1) **Comprehensive Plan and Zoning.** The property is guided Commercial in the 2040 Comprehensive Plan. The zoning is C-2: Neighborhood and Service Center Commercial which is intended as a business district which may be located in close proximity to a major thoroughfare or highway in order that highway service types of land can be provided.

Reference: Cars R Us LLC CUP | 1109 County Highway 10 NE



Other requirements for property in the C-2 district include:

- If any yards are to be landscaped, they shall be landscaped attractively with lawns, trees, shrubs, and the like. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition (§153.058).
- Where any business or industrial use (i.e., structure, parking or storage) abuts a residential zone or use, such business or industry shall provide a buffer yard and screening along the boundary of the residential property. The buffer area and screening shall also be provided where a business or industry is across the street from a residential zone or use, but not on that side of a business or industry considered to be the front as defined by the city. (§153.064)
- All materials, supplies, merchandise, or other similar matter not on display for direct sale, rental, or lease to the ultimate consumer or user shall be stored within a completely enclosed building within the commercial and industrial districts or within the confines of an opaque wall or fence not less than six feet high. (§153.066)
- Performance standards apply to buildings within the C-2 Commercial district, as guided in §153.100. These standards regulate noise, odor, exterior lighting, glare, vibration, fumes and gases, smoke, dust, hazards, and visual impacts. The site plan review process implements these regulations to ensure that development is compatible with neighboring properties and that negative external impacts are minimized.

2) **Application Request.** The storefront that the applicant proposes to use for Cars R Us LLC auto detailing is currently vacant. Current building tenants in the same building include Car-X, Batteries Plus Bulbs and C & C automotive. The property itself is currently comprised of an existing multi-tenant retail/service building and a surface parking lot. The request is to use the space as an auto detailing business. The prior use of the space was also an auto detailing business, the Perfect “10” detail shop. The applicant is not proposing any changes to the existing building or lot. There is existing tree screening between this lot and the single-family residential to the north of the site. The applicant proposes to use an overhead garage door in the back of the building to bring cars inside and ensures that all work will be done inside the building. The parking spaces are assigned by the building owner, and no changes are proposed to the parking lot itself. Cars that have been detailed will be

Reference: Cars R Us LLC CUP | 1109 County Highway 10 NE

parked outside in the parking lot while they wait to be picked up. The applicant proposes to use the existing pylon and building signage.

As mentioned, the previous tenant was also an auto detailing business but did not have a CUP on file with the City. A violation was noted on the previous business's (Perfect 10 Auto Glass and Detailing) C.O. Checklist that there was no CUP. There have also been issues with this property in the past having an overflow of vehicles waiting to be detailed encroaching on parking stalls for the Batteries Plus business.

- 3) **Conditional Use Permit.** Section §153.202 of the City of Spring Lake Park's zoning code outlines the requirements to approve a conditional use permit. This application has been analyzed with respect to those requirements, listed below. The City Council may then authorize the conditional use permit, provided the applicant has provided evidence establishing the following:

(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 auto detailing use is compatible with the location along Highway 10 and other uses within the building.

(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 site has robust existing screening and is buffered to the adjacent single-family residential. The site is accessible from Highway 10 and Cottagewood Terrace NE and the use is not expected to be detrimental to the surrounding area.

(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;

The proposed use is compliant with all applicable standards in the C-2 Neighborhood and Service Center Commercial district.

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

Auto and marine; service, parts, repair and wash are considered a Conditional Use in the C-2 Neighborhood and Service Center Commercial district. The auto detailing would be considered auto wash, which is specifically listed in the zoning code.

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

The property has existing screening in place, and the applicant is not proposing any changes to the building or site itself. The applicant proposes to conduct all work inside the building, and the use is not anticipated to have a detrimental effect on neighboring properties.

(f) The use will not lower property values or impact scenic views in the surrounding area;

Reference: Cars R Us LLC CUP | 1109 County Highway 10 NE

The property is located adjacent to Laddie Lake but is not expected to have a detrimental effect on views to the lake. There is robust existing screening between the property and Laddie Lake. There is also existing screening to single-family residential properties.

(g) Existing streets and highways and proposed access roads will be adequate to accommodate anticipated traffic;

This property can be accessed from Cottagewood Terrace NE, County Highway 10 Frontage Road and County Highway 10 NE. All of these roads are adequate to handle the minimal amount of traffic expected from this type of use.

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

The applicant is supplying adequate parking for employees and company vehicles. Parking spaces are provided by the building owner, and no changes are proposed to the parking lot.

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

The applicant does not propose any changes to the property, therefore the natural drainage system and natural topography will not be affected.

(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

Cars R Us LLC is an auto detailing business and all work will be conducted inside the existing building. It will not require measures to mitigate odor, fumes, dust, noise, and vibrations.

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

The applicant is not proposing any residential units as part of the project.

RECOMMENDATIONS

We recommend that the Planning Commission recommend approval of the Conditional Use Permit for 1109 County Highway 10 NE with the following conditions, based on the analysis provided by Planning staff:

- 1) The applicant shall apply for and receive all applicable building permits prior to beginning work.
- 2) The applicant shall conduct auto detailing work inside the building, with the garage door shut.
- 3) The applicant shall ensure that customer cars are parked only in spots designated for use by Cars R Us.

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) The use is screened from adjacent residential uses and is therefore not expected to have a detrimental effect on surrounding properties or lower property values.

Reference: Cars R Us LLC CUP | 1109 County Highway 10 NE

- 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 use, and all work will be conducted indoors.
- 6) No residential use is proposed on the site and therefore incompatible growth in that regard is not an issue with this use.



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: <u>1109 COUNTY HOWELL HIGHWAY 10 NE</u>	Current Zoning:
Property Identification Number (PIN#):	
Legal Description (Attach if necessary):	

APPLICANT INFORMATION		
Name: <u>GORDON LARSON</u>	Business Name: <u>CARS R US LLC</u>	
Address: <u>2821 KNOX AVE N</u>		
City: <u>Mpls</u>	State: <u>MN</u>	Zip Code: <u>55411</u>
Telephone: <u>(612) 226-2259</u>	Fax:	E-mail: <u>CARSRUSLLC</u>
Contact: <u>GORDON</u>		Title: <u>OWNER</u>

OWNER INFORMATION (if different from applicant)		
Name:	Business Name:	
Address:		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:		Title:

DESCRIPTION OF REQUEST (attach additional information if needed)	
Existing Use of Property:	<u>VACANT</u>
Nature of Proposed Use:	<u>AUTO DETAILING</u>

Reason(s) to Approve Request:
SMALL BUSINESS OWNER, PAY TAXES, EMPLOY PEOPLE AND I WILL KEEP THE APPEARANCE OF THE SHOP IN THE

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE BEST CONDITION	
Project Name:	Date of Application: <u>AS POSSIBLE</u>
Nature of Request:	

11

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

CARSRUSLLC@GMAIL.COM

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 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 CARUSULL2010@GMAIL.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: GORDON LARSON Date: 12.4.19

Owner: GORDON LARSON Date: 12.4.19

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. I WILL BE USING THE SHOP FOR MY OWN PERSONAL BUSINESS OF AUTO DETAILING

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. I WILL MAKE SURE EVERYTHING IS UP TO CODE AND KEEP A CLEAN, SAFE SHOP

3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. I WILL COMPLY

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

5. That the use will not lower property values or impact scenic views in the surrounding area. _____
I WILL MAKE SURE THE APPEARANCE
IS CLEAN AT ALL TIMES

6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. NO BLOCKING THE
PARKING LOT

7. That the use includes adequate protection for the natural drainage system and natural topography. NO BLOCKING DRAINS AND KEEP
THEM CLEAN

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. _____
I WILL COMPLY

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

1. This plan is prepared from field measurements and is not intended to be used for any other purpose than that for which it was prepared. It is not to be used for any other purpose without the written consent of the engineer.

DATE: 10-15-13
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

PARA MOUNT
 ENGINEERING & DESIGN
 1008 N. 10TH AVE. SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112

PROJECT NO. 13-001
 PROJECT NAME: CAR-X
 PROJECT LOCATION: 1008 N. 10TH AVE. SUITE 100, DENVER, CO 80202

CAR-X
 LAYOUT PLAN

SHEET NO. 2

