



PLANNING COMMISSION MEETING AGENDA
MONDAY, MARCH 22, 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 February 22, 2021 Meeting
- 5. PUBLIC HEARING**
 - [A.](#) Public Hearing - Variance Application - Tim and Jill Ellerbeck - 7768 Lakeview Lane NE
 - [B.](#) Public Hearing - Conditional Use Permit - Cargreen LLC - 1103 County Highway 10 NE
 - [C.](#) Public Hearing - Conditional Use Permit - Fish-Lectronics- 1109 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 February 22, 2021 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

Vice Chairperson Bernhagen called the meeting to order at 7:00 PM.

2. ROLL CALL

PRESENT

Commissioner Aisha Ali
Commissioner Jeff Bernhagen
Commissioner Rick Cobbs
Commissioner Doug Eischens
Commissioner Eric Julien

ABSENT

Chairperson Hans Hansen

STAFF PRESENT

Building Official Baker
Administrator Buchholtz

VISITORS

Virginia Moucha, 8037 6th Street NE

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes from January 25, 2021 Meeting

Motion made by Commissioner Eischens, Seconded by Commissioner Julien to approve January 25, 2021 meeting minutes.

Voting Yea: Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

5. PUBLIC HEARING

A. Public Hearing - Variance Application - Virginia Moucha - 8037 6th Street NE

Administrator Buchholtz reviewed the staff memo. He reported that the City received an application for a variance from the five-foot rear and side yard setback requirement for

accessory use. He reported that a shed was built where an existing slab and shed was on the property. He stated there are no permits or other variances in the property file.

Vice Chairperson Bernhagen opened the public hearing at 7:04 PM.

Virginia Moucha, 8037 6th Street, stated that she removed the old shed due to its age and pieces of the roof were blowing off in strong wind. She stated that the new shed was built on the existing cement slab and she was not aware of the property lines until a neighbor complained. She reported that most of the sheds in the neighborhood abut the property lines and are along the back-fence lines of properties. She stated that the new shed does not have any windows or electricity and is only used for storage.

Ms. Moucha stated that she called to see if a permit was needed for the shed and she was told that one was not; however, a zoning permit should have been applied for at the time the shed was built. She stated that it would be very costly to remove the shed and rebuild it if the variance is not approved.

Commissioner Cobbs inquired if the fence along the back of the property is Ms. Moucha's. She stated that it is the neighbor's fence. She stated that the bumper of the shed is on the on the property line. She stated that the door way of the shed is on the west side of the fence.

Commissioner Eischens stated that he drove by the property and noticed that most of the neighboring sheds are side by side and near the back-property lines. He stated that he does not think the sheds negatively impact the character of the neighborhood.

Commissioner Cobbs stated that he noticed that the neighbors shed is leaning. He stated that he noticed many of the sheds are leaning along the back-fence line.

Commissioner Julien noted that many of the sheds in the neighborhood were more likely built many years ago without variances.

Ms. Moucha stated that many of the neighboring sheds have a tree line behind them. She stated that her shed has walking room behind it. Commissioner Eischens the tree line is more than likely a natural barrier for the privacy of the structures.

Hearing no further discussion from the floor, Vice Chairperson Bernhagen closed the public hearing at 7:18 PM.

Commissioner Cobbs suggested that for future reference for residents an updated shed handout be placed on the City's website and at City Hall explaining the setbacks and when a permit is required. Building Official Baker stated that he has an updated handout that can be posted and it explains the updated building requirements.

Motion made by Commissioner Eischens, Seconded by Commissioner Cobbs to recommend approval of the Variance Application for 8037 6th Street NE.

Voting Yea: Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

6. OTHER

Administrator Buchholtz reported that he will be sharing an informational request, with the Commission, from the City of Blaine for an amendment to their Comprehensive Plan regarding a parcel of land on 85th Avenue. He stated that no action is required from the Commission.

Building Official Baker provided an update on Hy-Vee. He reported that progress is being made daily and final inspections will take place in phases. He stated that he anticipates a late May 2021 opening.

7. ADJOURN

Motion made by Commissioner Julien to adjourn meeting.

Voting Yea: Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

The meeting adjourned at 7:23 PM.



Memorandum

To: Chair Hansen and Members of the Planning Commission
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: March 10, 2021
Subject: Variance – 7768 Lakeview Lane NE

Background

Home Pro America, on behalf of Tim and Jill Ellenbecker, 7768 Lakeview Lane NE, has submitted a building permit application to construct a new 24x16 deck. Upon review of the building permit application, Building Official Baker found that the site plan shows only 30 feet to the rear lot line. The City code states a 40-foot rear yard setback is required.

The applicant is seeking a 10-foot variance from the 40 rear yard setback requirement for accessory uses, as set forth in Appendix E of the Spring Lake Park City Code.

The site is located just off Highway 65 NE and Lakeview Lane NE. The property is guided for low density residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential – allowed uses include single-family homes and duplexes.

Property records show that the house on the property was constructed in 1977.

The City's current yard setback standards for the R-1 zoning district is as follows:

Dwelling, single family – front yard	35 feet
Dwelling, single family – rear yard	40 feet
Dwelling, single family – side yard	10 feet
Accessory uses, rear yard	5 feet
Accessory uses, side yard	5 feet



Section §16.20.070 of the City of Spring Lake Park's zoning code governs accessory buildings and Uses:

Attached accessory building. In case an accessory building is attached to the main building, it shall be made structurally a part of the principal building and shall comply in all respects with the requirements of this title applicable to the principal building.

(E). Rear yard requirement for accessory buildings.

1. No single detached accessory building exceeding either one story or 12 feet in height shall occupy more than 30% of the area of any rear yard. Further, no detached accessory building shall be located within five feet of any rear lot line in an R-1 classification or within 15 feet of any rear lot line in an R-2 or R-3 classification.
2. The sum total of land occupied by all accessory building shall not exceed 40% of the area of the required rear yard, but in no case greater than 1,200 square feet.

Variance

Section §16.60.040 of the City of Spring Lake Park's zoning code outlines the criteria for considering variances:

"The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan.

"Practical difficulties" as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved."

Recommendations

Staff recommends that the Planning Commission approve the deck rear yard variance at 7768 Lakeview Lane NE with these findings:

1. Requiring the deck to comply with the established setback will cause practical difficulties for this property owner.
2. The Code establishes setbacks to provide light and air to all properties, to be applied equally across the various properties in this zoning district. The location of the deck will not hinder the general purposes and intent of the code.
3. The property and accessory buildings are similar to many others in the neighborhood and in the city.

If you have any questions regarding this application, please don't hesitate to contact me at 763-784-6491.



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: \$450

Received by: JB

Date Filed: 3-4-21

Date Complete:

Base Fee: \$150 Escrow: \$300

Recep. # 131921

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 type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Rezoning | <input checked="" 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: 7768 Lakeview LN NE

Property Identification Number (PIN#): 01-30-24-43-0014

Current Zoning: R1

Legal Description: Lot 2 Block one Murphy's Lakeview

(Attach if necessary):

APPLICANT INFORMATION

Name: Joseph Bigler

Business Name: Home pro America

Address: 8833 Jody LN

City: Cottage Grove

State: MN

Zip Code: 55016

Telephone: 612-210-4459

Fax:

E-mail: jbigler@homeproam.com

Contact:

Title:

OWNER INFORMATION (if different from applicant)

Name: Tim & Jill Ellenbecker

Business Name:

Address: 7768 Lakeview LN NE

City: Spring Lake Park

State: MN

Zip Code: 55432

Telephone: 763-486-3249

Fax:

E-mail:

Contact:

Title:

DESCRIPTION OF REQUEST (attach additional information if needed)

Existing Use of Property: Residential

Nature of Proposed Use: Residential

Reason(s) to Approve: The surrounding neighbors Decks encroach as much or further than we are requesting. The deck was planned when siding was installed.

Request: The larger deck will allow for furniture to accommodate family.

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 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 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

jbiegler@homepro.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, 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:

Joseph Biegler

Date:

3/2/21

Owner:

Timothy D. Ellenbecker

Date:

3/1/21

NOTE: Applications only accepted with ALL required support documents.

See City Code

City of Spring Lake Park Variance Application

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Joseph Bieger III Telephone: 612-210-4459
Address: 8333 Jody LN N Cell Phone: Same
City/State/Zip: Cottage Grove MN 55016 E-mail: jbieger@homeproam.com

2. Property Owner Information (if different from above):

Name: Tim & Jill Ellenbecker Telephone: 763-486-3249
Address: 7768 Lakeview LN NE Cell Phone: Same
City/State/Zip: Spring Lake Park MN 55432 E-mail: Wyrmling@gmail.com

3. Project Location (Address and Legal Description): 7768 Lakeview LN NE
Spring Lake Park MN 55432 (LOT 2, BLOCK ONE, DUMPHY'S LAKEVIEW)

4. Present Use of Property: Residential

5. Description of Project: Building a 24'w x 16'd deck

6. Specify Section of the Ordinance from which variance is sought: 16.64.050 Appendix E #5 side & Rear

7. Explain how you wish to vary from the applicable provisions of this Ordinance: We would like to encroach in to the setback
6 feet

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. **Practical Difficulties Test:** Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?
☒ Yes ☐ No Why or why not?

This still leaves 34' of distance between the
New deck & property line

b. In your opinion, is the variance consistent with the Comprehensive Plan?

☒ Yes ☐ No Why or why not?

Our plan is for a 24' x 16' deep
deck so we only need an additional 6'

c. In your opinion, does the proposal put property to use in a reasonable manner?

☒ Yes ☐ No Why or why not?

This allows for a nice sized structure
to be used by them and their family
when gatherings are allowed

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

☐ Yes ☒ No Why or why not?

This is a very standard back yard
leading to other back yards.

e. In your opinion, will the variance maintain the essential character of the locality?

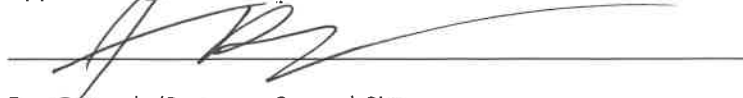
☒ Yes ☐ No Why or why not?

The deck is being built by a very reputable
Licensed general contractor and will look
very nice when completed.

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:



Date:

3/3/21

Fee Owner's (Property Owner) Signature:



Date:

3/1/21

**JAMES L. KURTH
LAND SURVEYOR**

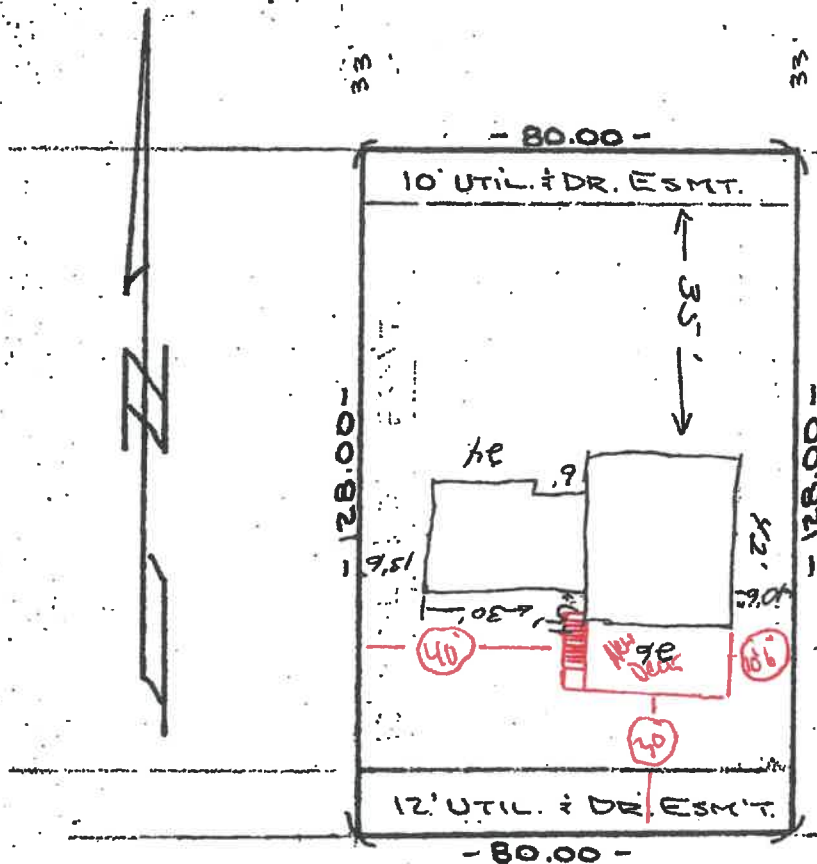
9769
788-2004

DATE 8-15-77

SCALE 1" = 30'

MINNESOTA REGISTRATION NO. 5332

74 LAKEVIEW LANE



APPROVED

OCT 6 1977

SPRING 1977
BUILDING PERMIT
ORDINANCE REQUIREMENTS
MUST BE COMPLIED WITH

LOT 2, BLOCK ONE, DUMPHY'S LAKEVIEW
ANOKA CO. MN

2768 *Lachenius* Lach. N. E.

463-7

CITY OF SPRING LAKE PARK

Cashier asystadmin
At Front Counter

3/5/21 10:05am 131921

From: TIMOTHY ELLENBECKER
7768 LAKEVIEW LANE NE
SPRING LAKE PARK
MN, 55432

CR Variance 150.00
TIMOTHY
ELLENBECKER

CR ESCROW (MISC) 300.00
TIMOTHY
ELLENBECKER

Receipt total 450.00

CK CK#7995 (JG) 450.00

Change Due 0.00

Thank you!



City of Spring Lake Park - Code Enforcement

1301 81st Avenue NE • Spring Lake Park MN 55432 • Phone: 763-784-6491 • Fax: 763-792-7257 • www.slpmt.org



BUILDING PERMIT APPLICATION

Job Address 7768 Lakeview Lane NE.

Property Owner

Name Tim and Jill Ellenbecker

Address 7768 Lakeview Lane NE Phone [REDACTED]

Contractor

Name Home Pro America

Address 10523 165th Street W. Phone (612) 470-6677

Email production@homeproam.com

State License # E [REDACTED] Exp. Date 03/22/31 Lead Cert. Date 07/02/23
dd/mm/yr dd/mm/yr

Applicant Same as ☐ Property Owner ☒ Contractor

Name _____

Address _____ Phone _____

Email _____

Type of Property

- ☐ Commercial Property
- ☐ Industrial Property
- ☐ Mobile Home Property
- ☐ Multi-Family Property
- ☐ Public Property
- ☒ Single Family Property

Type of Work

- | | |
|--|--|
| <input type="checkbox"/> Addition | <input type="checkbox"/> Mobile Home |
| <input type="checkbox"/> Alteration | <input checked="" type="checkbox"/> New <u>build new</u> |
| <input type="checkbox"/> Accessory <200 Sq.Ft. | <input type="checkbox"/> Pool |
| <input type="checkbox"/> Basement Finish | <input type="checkbox"/> Remodel |
| <input type="checkbox"/> Concrete Work | <input type="checkbox"/> Repair |
| <input checked="" type="checkbox"/> Deck | <input type="checkbox"/> Replace |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Roofing |
| <input type="checkbox"/> Door Replacement | <input type="checkbox"/> Shed < 200 Sq. Ft. |
| <input type="checkbox"/> Dumpster Enclosure | <input type="checkbox"/> Siding |
| <input type="checkbox"/> Egress Window | <input type="checkbox"/> Structural Work |
| <input type="checkbox"/> Gypsum Board | <input type="checkbox"/> Window Replacer |
| <input type="checkbox"/> Insulation | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Masonry Work | |

Describe Work Build new 24x16 deck using Timbertech decking

Value of Work Including Labor \$24,587.23 Start Date 01/03/21 Estimated Completion Date 05/01/21
dd/mm/yr dd/mm/yr

Commercial/Industrial Submit two plan sets and specifications for commercial or industrial work.

Describe Building Use and/or Changes in Use _____

Notice

Separate permits are required for electrical, plumbing, heating, ventilating, and air conditioning. This permit becomes null and void if work or construction authorized is not commenced within 180 days or work is suspended or abandoned for a period of 180 days at any time after work is commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other State or local law regulating construction or the performance of construction. Initial here MH

Contractor Signature [Signature]

Date of Application 12/02/21
dd/mm/yr

Homeowner Doing Work in Homestead Signature _____ Date of Application _____
dd/mm/yr

If application is not fully completed, it will be denied at time of processing. Please verify that all necessary information is legible and plans are included with job cost estimates. Contact Permit Technician to verify all necessary information is provided before submitting.

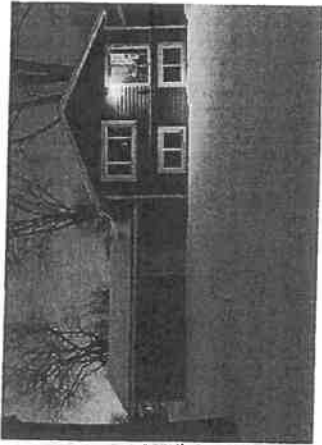
Payment: We accept cash, checks payable to City of Spring Lake Park, or credit cards (with additional processing fees), at the front counter only.

DATE	BY	REVISION	DESCRIPTION

Cover Page

LETTER (8-1/2" x 11")

TIMBERTECH AZEK DECKING FASTENED w/ HIDDEN FASTENERS
 6x6 WRAPPED KDAT POST w/ 10x10 BASE
 2x10 KDAT FRAMING
 2x10 KDAT STAIR STRINGERS 10" OC
 36" ALUMINUM RAILING w/ ALUMINUM BALUSTERS (SPACING <4")
 POST CAP LIGHTS ON ALL RAILING POST EXCEPT FOR POST AT HOUSE AND BOTTOM OF STAIR



10523 165th St. W.
 Lakeville, MN 55044
 612-470-8877

Tim & Jill Eilenbecker
 7703 Lakewood Lane NE
 Spring Lake Park, MN 55432

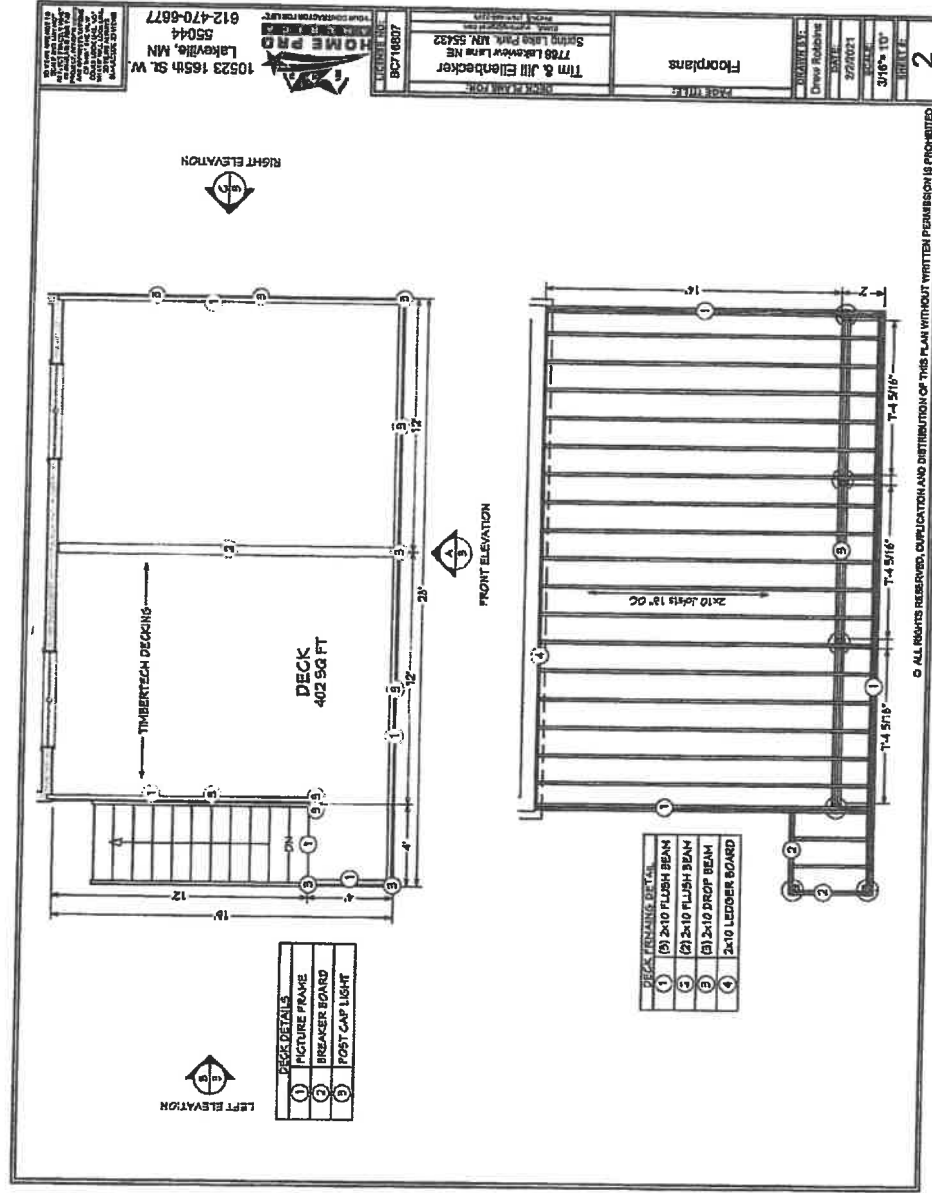
PROJECT NO:
 167716807

DATE: 07/24/2011
 DRAWN BY:
 CHECKED BY:
 DATE: 07/24/2011
 PROJECT:
 SHEET #:
 1

COVER PAGE

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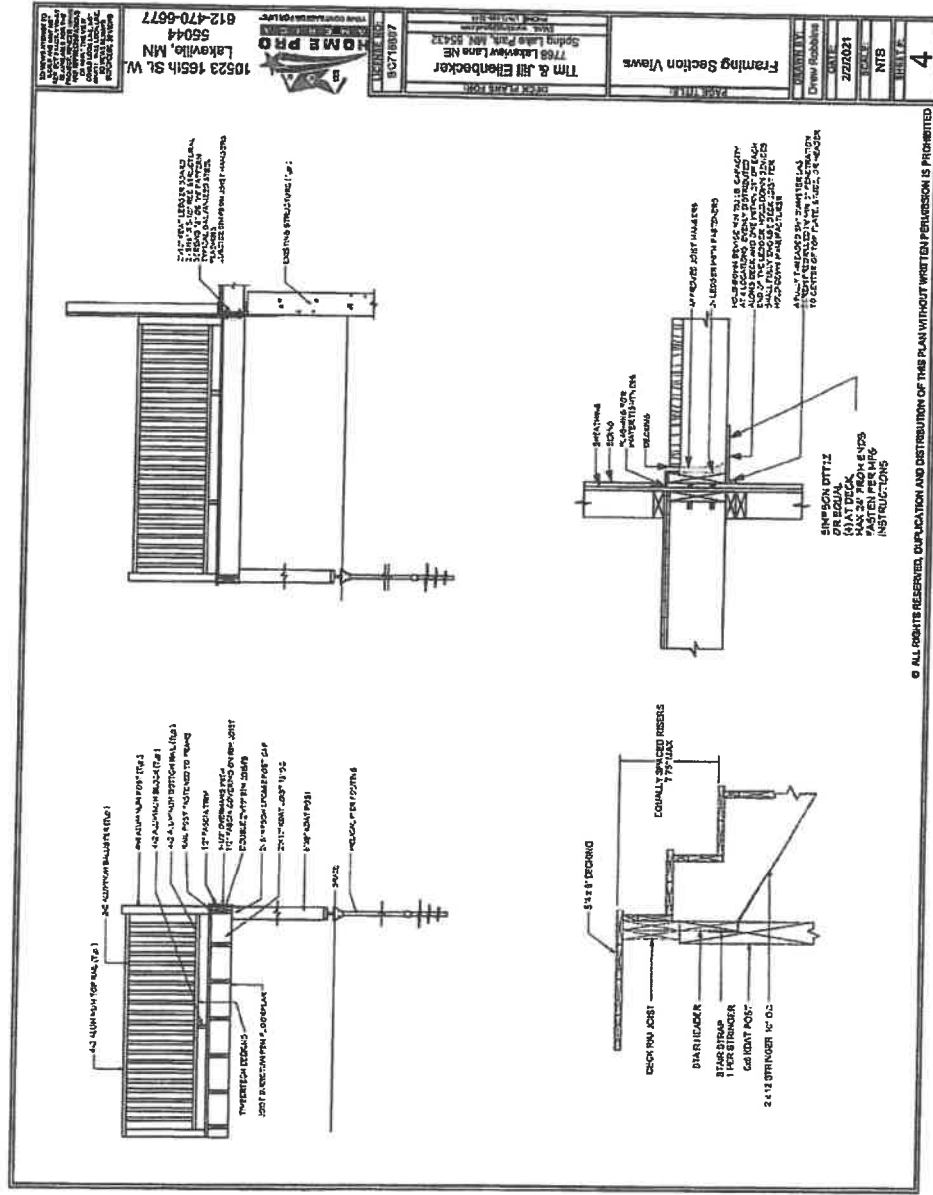
Floorplans

[illegible]

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Framing Section Views

[illegible]

To:	Planning Commission	From:	Phil Carlson, Lauren Walburg
	City of Spring Lake Park		Stantec
File:	Cargreen LLC – Conditional Use Permit	Date:	March 22, 2021

Re: **Cargreen LLC CUP | 1103 County Highway 10 NE**

BACKGROUND

Cargreen LLC proposes to open an environmentally friendly vehicle rental business in the same building as Car-X and Batteries Plus Bulbs at 1103 County Highway 10 NE (formerly C&C automotive). The property is guided Commercial and zoned C-2: Neighborhood and Service Center Commercial. Auto and marine; sales, leasing, and rental are considered a Conditional Use in this zoning district.

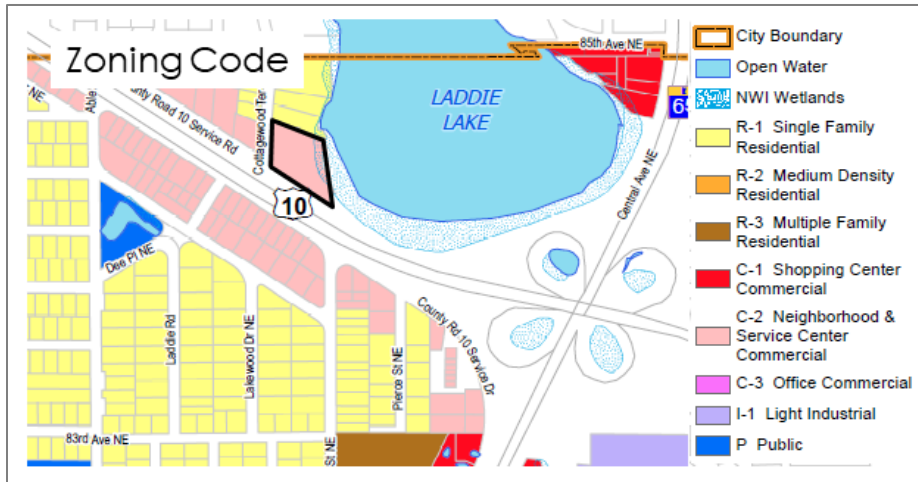
The site is located on the north side of County Road 10 NE and north west of the County Highway 10/Central Avenue NE interchange. The site is accessible by Cottagewood Terrace NE and the adjacent uses are multi-family residential to the west, single-family residential to the north, Laddie Lake to the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



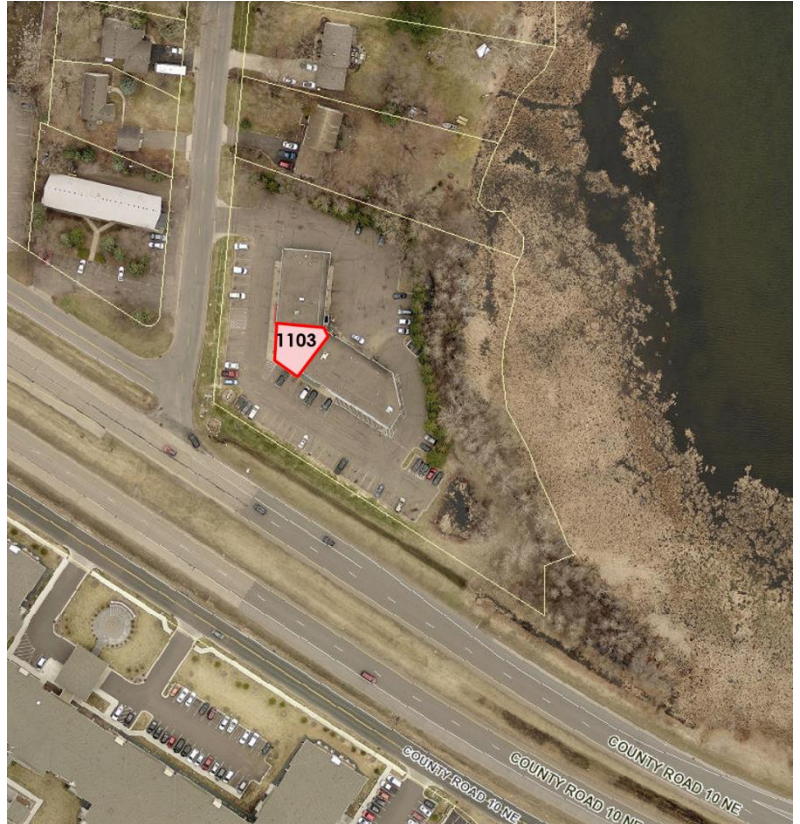
Other requirements for property in the C-2 district include:

- 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 Cargreen LLC rental service is **currently vacant but was formerly C&C automotive**. The approximate location of the space is shown in the diagram below. Current building tenants in the same building include Car-X, Batteries Plus Bulbs and the former Cars R US LLC car detailing. Cars R Us LLC has since moved out and there is an application for Conditional Use Permit for that space. The property itself is currently comprised of an existing 11,480 square foot multi-tenant retail/service building and an 83-spot surface parking lot. The request is to use the space as a rental service business, offering environmentally friendly hybrid and electric vehicle rentals. The applicant is not proposing any changes to the existing building or lot, and the space that they intend to lease is 1,675 square feet. 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 front of the property to bring cars inside for cleaning in

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

between rentals and for storage of rental vehicles. All vehicle servicing will be handled off-site at the dealership. The parking spaces are assigned by the building owner, and no changes are proposed to the parking lot itself. Cars that have been cleaned and are ready for rental will be placed in front of the building or stored inside the garage. The applicant proposes to use the existing pylon and building signage.

The applicant proposes to begin with six (6) rental vehicles at this location, which could be increased to up to ten (10) vehicles if the business were to expand. The applicant has said that they would not anticipate any more than 10 rental vehicles at this location and would look to expand the business to another location if there is additional demand. There are 83 existing parking spaces available for the tenants of the multi-tenant building, and the applicant has said that up to 5 cars will fit inside the building at one time. The applicant has communicated that they anticipate 1 staff member on-site during office hours. Customers will also be able to leave their cars in the parking lot during the day, however, customers will not be allowed to leave vehicles overnight. The applicant has a shuttle service set up to help alleviate parking demands for customer cars.



- 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 rental service use is compatible with the location along Highway 10 and other uses within the building. The business will provide an environmentally friendly rental car option in Spring Lake Park.

(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;

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

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. Rental cars will either be stored indoors or in front of the building and will not harm the overall appearance or be injurious to property values in the 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; sales, leasing and rental are considered a Conditional Use in the C-2 Neighborhood and Service Center Commercial district.

(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 vehicle cleaning inside the building. Service and maintenance of vehicles will occur at the dealership and will not be conducted on site, therefore 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;

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 rental vehicles. The space breakdown at the facility is as follows: 1,675 square feet of retail/storage; 1 service bay and 1 employee at peak shift. This results in a total of 20 required parking spaces. There are currently 23 spaces allocated to this use within the commercial center, and additionally space for 5 vehicles within the building. Parking spaces are provided by the building owner, and no changes are proposed to the parking lot. The applicant has said that some vehicles will be parked inside the building, and no customer vehicles will be allowed to remain in the parking lot overnight.

(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.

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

(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

Cargreen LLC is a car rental business and all cleaning of vehicles will be conducted inside the existing building. The vehicles for rental are anticipated to be hybrid and electric vehicles and will not create additional fumes or noise in the neighborhood. The business 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 1103 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 all vehicle cleaning inside the building, with the garage door shut.
- 3) The applicant shall ensure that rental, customer and staff cars are parked only in spots designated for use by Cargreen LLC.
- 4) Optional: If parking is a concern, an additional condition could be added that the number of rental cars at this site be limited to ten (10) vehicles.

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.
- 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: \$2200.00
 Received by: JG
 Date Filed: 2-23-21
 Date Complete:
 Base Fee: \$500 Escrow: \$1500

Cgo app \$200
 Receipt # 131853

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: 1103 COUNTY HIGHWAY 10 NE, SPRING LAKE PARK MN 55432		
Property Identification Number (PIN#):		Current Zoning:
Legal Description (Attach if necessary):		
APPLICANT INFORMATION		
Name: EBRIMA S JALLOW		Business Name: CARGREEN LLC
Address: 3717 GERSHWIN LN N		
City: OAKDALE	State: MN	Zip Code: 55128
Telephone: 6123904860	Fax:	E-mail:
Contact: 6123904860	Title: OWNER/MANAGER	
OWNER INFORMATION (if different from applicant)		
Name: EBRIMA JALLOW		Business Name: CARGREEN LLC
Address: 3717 GERSHWIN LN N		
City: OAKDALE	State: MN	Zip Code: 55128
Telephone: 6123904860	Fax:	E-mail: CARGREENMN@G
Contact: 6123904860	Title: OWNER	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: Vehicle detailing service		
Nature of Proposed Use: Environmentally friendly Vehicle Rental Services		
Reason(s) to Approve Request: We plan to provide environmentally friendly, low emission vehicles as rentals to help reduce the impact of pollution associated with road travel.		
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 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):

cargreenmn@gmail.com

☒ E-mail

☐ Fax

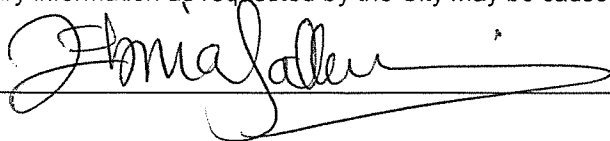
☐ USPS – Certified Mail

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, 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:



2/8/2021

Date:

Owner:

Date:

2/8/2021

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

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. Cargreen LLC will contribute to the general welfare by providing convenience, environmentally friendly vehicles rental 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. Cargreen's fleet comprises of only environmentally friendly vehicles. we plan to provide Hybrid's and electric vehicles only. My use will not be detrimental.
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. Cargreen LLC will comply with all regulation. We want to build a business that will be part of the community.
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. our proposed location / use shall not be detrimental. on the contrary, the community will enjoy the convenience of having a reputable rental agency right in their neighborhood.

5. That the use will not lower property values or impact scenic views in the surrounding area. our use will not lower property values.
our fleet will be neatly park on the premiss,
all non rented vehicles will be stored inside.
6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. Yes the current infrastructure
will be adequate to handle traffic. We plan
an Startup with six vehicles.
7. That the use includes adequate protection for the natural drainage system and natural topography. our mission is to help reduce climate
change and emission that's why we only rent
environmentally friendly vehicles. there is adequate
protection for the natural drainage system.
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. Cargreen's
Fleet and space will ~~not~~ prevent and control
all the above. We are green so all our
business dealups will be friendly to the surroundig.
9. That the proposed use will not stimulate growth incompatible with prevailing density standards. our proposed use will not stimulate growth.
we are a small start-up. when we have more
growth opportunities, we plan to open a second
location.

To:	Planning Commission	From:	Phil Carlson, Erin Perdu
	City of Spring Lake Park		Stantec
File:	Fish-Electronics – Conditional Use Permit	Date:	March 17, 2021

Re: **DPG Inc. dba Fish-Electronics CUP | 1109 County Highway 10 NE**

BACKGROUND

DPG Inc. dba Fish-Electronics proposes to operate a marine installation and repair facility in the same building as Car-X, and Batteries Plus Bulbs (in the space currently occupied by 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 applicant also proposes to store 2-10 boats outdoors when they are dropped off for repair. All repair work will be completed inside the existing garage. It is anticipated that each boat will be there for a maximum of one night. The boats are sized so that they fit within a single car parking space.

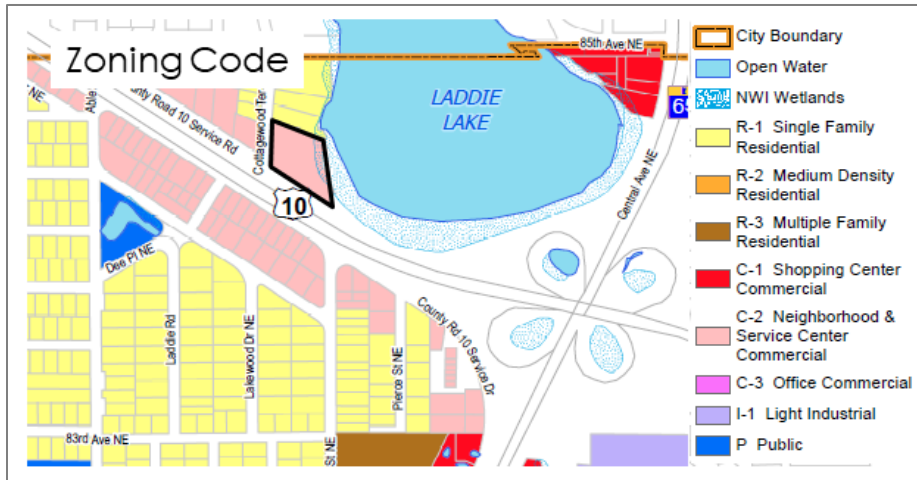
The site is located on the north side of County Highway 10 NE and north west of the County Highway 10/Central Avenue NE interchange. The site is accessible by Cottagewood Terrace NE and the adjacent uses are multi-family residential to the west, single-family residential to the north, Laddie Lake to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



Requirements for property in the C-2 zoning 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) The proposed use includes outdoor parking of boats, but the site is not adjacent to any residential use.
- 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) No supplies or merchandise are proposed to be stored outdoors.
- 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 Fish-Lectronics is the former site of Perfect "10" Detail Shop. Current building tenants in the same building include Car-X and Batteries Plus Bulbs. 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 for sales and installation of marine electronics parts, accessories, service and rigging. The prior use of the space was an auto detailing business. 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 boats 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. Boats that have been

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

worked on will be 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 an auto detailing business, and was issued a CUP in early 2020. There have been no issues with this property in the last year having an overflow of vehicles waiting to be detailed encroaching on parking stalls for the Batteries Plus business next door.

- 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 marine sales and installation/repair 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 proposed use would be considered marine service, 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 the proposed boat storage. The space breakdown at the facility is as follows: 925 sf. Of retail/storage; 1 service bay and 7 employees at peak shift. This results in a total of 18 spaces required. There are currently 24 spaces allocated to this use within the commercial center. 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

Fish-Lectronics is a marine sales, installation and repair 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 marine installation and repair work inside the building, with the garage door shut.
- 3) The applicant shall ensure that customer cars, boats and employee cars are parked only in spots designated for use by Fish-Lectronics.

Reference: Cars R Us LLC CUP | 1109 County Highway 10 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) 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.
- 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: \$2000.00
 Received by: JG
 Date Filed: 3-4-2021
 Date Complete:
 Base Fee: \$500 Escrow: \$1500
 CK # 5546

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: 1109 County Hwy 10 NE, Spring Lake Park, MN 55432
 Property Identification Number (PIN#): 01-30-24-22-0132 Current Zoning: --
 Legal Description: Lot 4 thru 7 incl blk 1 Laddie Lake add. subj to ease of rec
 (Attach if necessary):

APPLICANT INFORMATION

Name: Matt Nelson Business Name: DPG Inc. dba Fish-Electronics
 Address: 13748 Bluewing Dr.
 City: Rogers State: MN Zip Code: 55374
 Telephone: 2183408196 Fax: E-mail: mnelson03@gmail.com
 Contact: Matt Nelson Title: President

OWNER INFORMATION (if different from applicant)

Name: Linda Kreps Business Name: Jay-Kay Business
 Address: 12323 Estes Ave NW
 City: Clearwater State: MN Zip Code: 55320
 Telephone: 612-590-3363 Fax: E-mail: lindajkreps@gmail.com
 Contact: Linda Title: Owner

DESCRIPTION OF REQUEST (attach additional information if needed)

Existing Use of Property: Car detailing
 Nature of Proposed Use: Temporary storage of 2-10 boats overnight for marine installation and repair.
 Reason(s) to Approve: Temporary overnight boat storage provides greater convenience to our customers. Boats would be dropped off for repair or installation services and could remain overnight while these services are being rendered.
 Request:

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE

Project Name: n/a Date of Application: n/a
 Nature of Request: n/a

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

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 mnelson03@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, 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: Matt Nelson Date: 2/26/2021

Owner: _____ Date: _____

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

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 **mnelson03@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, 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: **Matt Nelson** Date: **2/23/21**
Owner: **Linda Kiep** Date: **2-24-21**

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. Provide convenient, local retail marine sales, repair, and installation 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. Retail sales & service of marine goods
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. This business complies with current zoning code regulations. The boats will be stored outside temporarily to provide greater convenience for customers. Temporary storage as boats repair
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. There is space for temporary storage of boats in the allocated lot space. The owner of the entire building has approved this usage.

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

Temporary storage - n/a

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

temporary storage of boats. lot can accomodate this usage.

7. That the use includes adequate protection for the natural drainage system and natural topography. _____

n/a

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. _____

Temporary storage of boats - no additional noise, fumes, odors, dust, etc. involved in their storage.

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

n/a



To whom it may concern,

Fish-Electronics has been serving the Twin cities area since 1980. We specialize in marine electronics, parts, and accessories. We're moving to Spring Lake Park to expand our retail and installation services. To provide added convenience to our customers we would like to temporary store boats overnight in our parking lot. We anticipate 2-10 boats to stored outside and would like to receive a conditional use permit. Additional information can be found on the attached conditional use permit worksheet.

Thank you,

Matt Nelson - President

CITY OF SPRING LAKE PARK

Cashier asystadmin
At Front Counter

3/5/21 4:04pm 131924

From: MATT NELSON
FISH ELECTRONICS
1109 CTY HWY 10 NE
SLP
MN, 55432

CR Conditional Us 500.00
MATT NELSON

CR ESCROW (MISC) 1500.00
MATT NELSON

Receipt total ----- 2000.00

CK CK#005546 (JG) ----- 2000.00

Change Due 0.00

Thank you!