

**RESOLUTION NO. 20-38**

**A RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR AN AUTO REPAIR BUSINESS AT 8370 PIERCE STREET NE**

**WHEREAS**, Olmedo Alvarado has made application for a conditional use permit to allow for an auto repair use at 8370 Pierce Street; and

**WHEREAS**, the property is zoned C-2, Neighborhood & Service Center Commercial, and is legally described as follows:

That part of Lot Six (6), Auditor's Subdivision No. 152, described as follows, to wit: the North 130 feet, front and rear, of the South 690, front and rear of the East 180 feet of the West 401.5 feet of Government Lot 2, Section 1, Township 30, Range 24, according to the recorded plat thereof, Anoka County Minnesota; and

**WHEREAS**, mailed and published notice of a public hearing to consider the proposed conditional use permit was given; and

**WHEREAS**, a public hearing to consider the proposed conditional use permit was held by the Planning Commission on November 23, 2020; and

**WHEREAS**, the Planning Commission has recommended approval of the conditional use permit amendment, subject to conditions.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby approves an amendment to the conditional use permit at 8370 Pierce Street NE to permit an auto repair business, subject to the following conditions:

1. The Conditional Use Permit applies to the use of the property assuming all setbacks and other Zoning Code standards are met, including the required 15 foot side setback to the north side, without a variance. If a variance is approved as requested for the north side setback of the building addition, that would be in addition to the conditions in the Conditional Use Permit.
2. Additional screening and landscaping on the west and south sides of the lot will be provided as depicted on the Concept Plan in the Planner's Report of November 23, 2020, to screen headlights and activity on site, such landscaping to be reviewed and approved by the City Planner and City Engineer before a building permit is granted.
3. The new proposed asphalt parking area in the rear of the site will provide a 12 foot rear setback and a 14 foot south side setback as depicted on the Concept Plan in the Planner's 11-23-2020 report, recognizing that there has been an existing legal non-conforming gravel parking area in the rear of the property.
4. All work will be done within the building.
5. Vehicles stored on site must display current license.

6. Damaged or inoperable vehicles, as well as parts and equipment, must be stored within the building or completely screened from the street and neighboring properties.
7. Additional lighting on the new building addition over the garage door and man door will be downcast, fully shielded fixtures allowing no more than 0.5 foot candle of light beyond the property line.
8. Handling of odors, gas and fumes will be reviewed and approved by the City Engineer and Building Official before a building permit is issued.
9. A stormwater drainage feature approximately 18 inches deep will be provided in the southeast corner of the site to be reviewed and approved by the City Engineer before a building permit is granted.
10. All other grading, drainage, stormwater, utility and engineering issues will be reviewed and approved by the City Engineer before a building permit is granted.
11. No more than twenty (20) vehicles may be stored outdoors on the site.

**BE IT FURTHER RESOLVED** that the findings outlined in the City Planner's memo dated November 23, 2020 are adopted by reference.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:.

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 7<sup>th</sup> day of December, 2020.

APPROVED BY:

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Robert Nelson, Mayor

ATTEST:

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Daniel R. Buchholtz, Administrator, Clerk/Treasurer