

To:	Planning Commission City of Spring Lake Park	From:	Phil Carlson, Lauren Walburg 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.

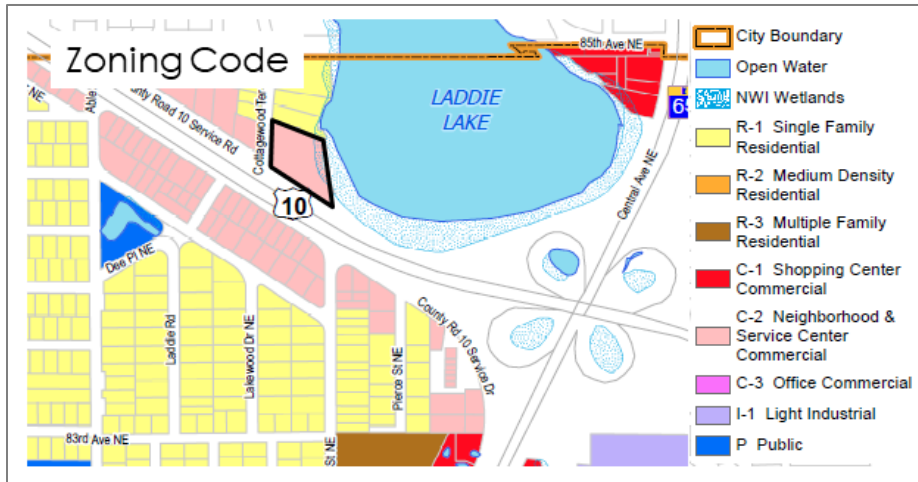
The site is located on the north side of County Road 10 NE and north west of the County Highway 10/Central Avenue NE interchange. The site is accessible by Cottagewood Terrace NE and the adjacent uses are multi-family residential to the west, single-family residential to the north, Laddie Lake to the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

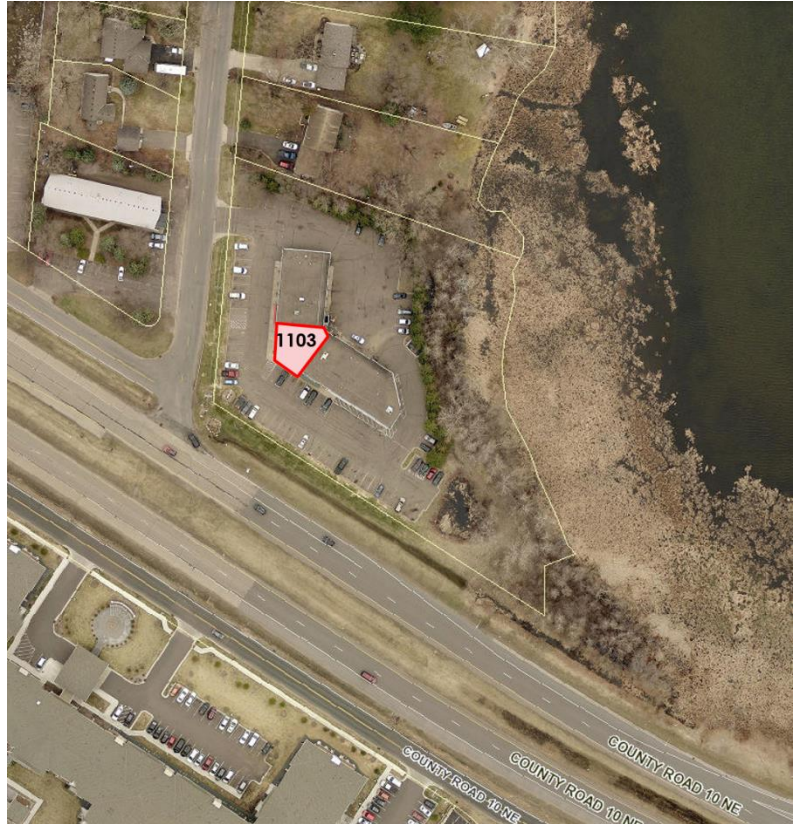
- If any yards are to be landscaped, they shall be landscaped attractively with lawns, trees, shrubs, and the like. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition (§153.058).
- Where any business or industrial use (i.e., structure, parking or storage) 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 its 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"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text) <input type="checkbox"/> Rezoning <input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Site Plan/Building Plan Review <input type="checkbox"/> Conceptual Plan Review <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Lot Combination <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <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):

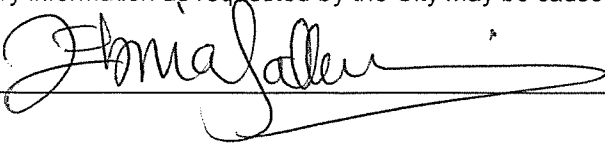
cargreenmn@gmail.com

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:  Date: 2/8/2021

Owner: _____ Date: 2/8/2021

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 regulations. 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 / we 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 premises, 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 a 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. Car green'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 surrounding.
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.