

RESOLUTION NO. 22-41

**RESOLUTION GRANTING APPROVAL OF INTERIM USE PERMIT FOR
AMERICAN ENTERPRISES LLC (DBA EFFICIENT AUTO SALES) TO PERMIT
INDOOR AUTO SALES AT 8302 HIGHWAY 65 NE**

WHEREAS, American Enterprises, LLC. (the “Applicant”) submitted an application for approval of an interim use permit to permit the issuance of a used car dealer’s license at 8302 Highway 65 NE to permit the purchase of vehicles at an auto auction; and

WHEREAS, the legal description for the interim use permit is as follows:

That part of Government Lot 2, Section 1, Township 30, Range 24, Anoka County, Minnesota, described as follows:

Beginning at the point of intersection of the South line of Government Lot 2 with the Westerly line of the right-of-way of Trunk Highway 65 formerly known as Highway No. 5; thence West along the said South line a distance of 457.5 feet to the actual point of beginning of the tract to be described; thence at right angles Northerly a distance of 250 feet; thence Easterly and parallel with the South line of said Government Lot 2, a distance of 50 feet; thence at right angles Northerly to the Southerly line of the right-of-way of Trunk Highway No. 10; thence Southeasterly along the Southerly line of Highway No. 10 and 65 to its intersection with the South line of said Government Lot 2; thence west along the South line of said Government Lot 2 to the point of beginning.

AND

That part of Government Lot 2, Section 1, Township 30, Range 24, Anoka County, Minnesota, described as follows:

Commencing at a point on the South line thereof distant 569.6 feet East of the Southwest corner of said Government Lot 2; thence East along the South line thereof 200 feet; thence North at right angles 220 feet; thence West at right angles a distance of 203.4 feet, more or less, to a point on the line drawn North from the point of beginning parallel with the west line of Government Lot 2; thence South parallel with the West line of said Government Lot 2 a distance of 220 feet, more or less to the point of beginning, according to the Government Survey thereof; and

WHEREAS, the Planning Commission considered the Applicant’s request at a duly noticed Public Hearing which took place on August 22, 2022; and

WHEREAS, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, the City Council considered the application at its September 6, 2022 meeting and has made the following findings in support of approval of the conditional use permit application:

1. The proposed use is a reasonable use of the property, anticipated as an interim use in the C-2, Neighborhood and Service Center Commercial, District.
2. Applicant is primarily utilizing the dealer's license to purchase vehicles at wholesale or through an auto auction. Such a use will not have a detrimental effect on surrounding properties or lower property values.
3. Automobile sales will occur entirely inside the building and is therefore not expected to have a detrimental effect on surrounding properties or lower property values.
4. Adjacent roadways and the existing parking lot are adequate to handle anticipated traffic and vehicles using the site.
5. No changes are proposed to site grading and drainage and therefore stormwater management should be adequate as it exists now.
6. Unusual odors, fumes, dust, noise or vibration associated with the use will be adequately mitigated by the applicant and work will be conducted indoors.
7. No residential use is proposed on the site; and, therefore incompatible growth in that regard is not an issue with this use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park that the City Council does hereby approve the application made by the Applicant for a interim use permit to permit auto sales at 1313 Osborne Road NE, subject to the following conditions:

1. The applicant intends to use the interim use permit to purchase vehicles at wholesale or through auto auctions. Should the applicant choose to sell a vehicle under this license, the applicant must store any vehicles for sale inside the building, in compliance with SLPC 16.36.010(A). No outdoor storage of vehicles for sale permitted.
2. The interim use permit shall expire either upon the sale or transfer of ownership of the building and/or business, a violation of the conditions of the interim use permit or a change in the City's zoning regulations which renders the use nonconforming, whichever is earlier.

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 6th day of September, 2022.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

State of Minnesota)
Counties of Anoka and Ramsey) ss
City of Spring Lake Park)

I, Daniel R. Buchholtz, duly appointed and qualified City Clerk in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby Certify that the foregoing is a true and correct copy of Resolution No. 22-41, Resolution Granting Approval of Interim Use Permit for American Enterprises LLC (DBA Efficient Auto Sales) at 8302 Highway 65 NE, adopted by the Spring Lake Park City Council at their regular meeting on the 6th day of September, 2022.

(SEAL)

Daniel R. Buchholtz, Administrator, Clerk/Treasurer

Dated: _____