

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

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

**BACKGROUND**

DPG Inc. dba Fish-Lectronics 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.

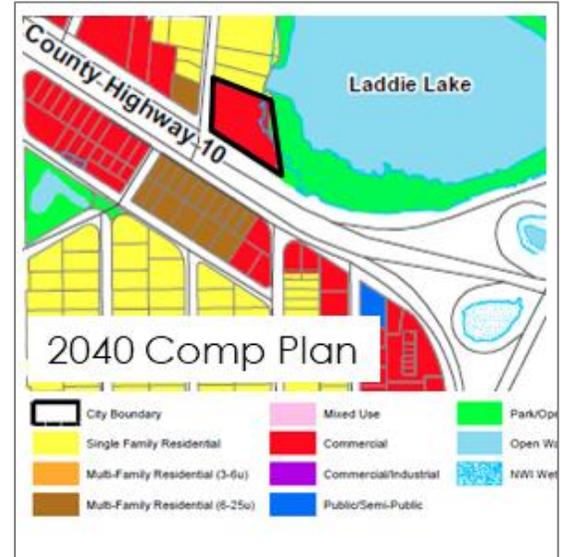
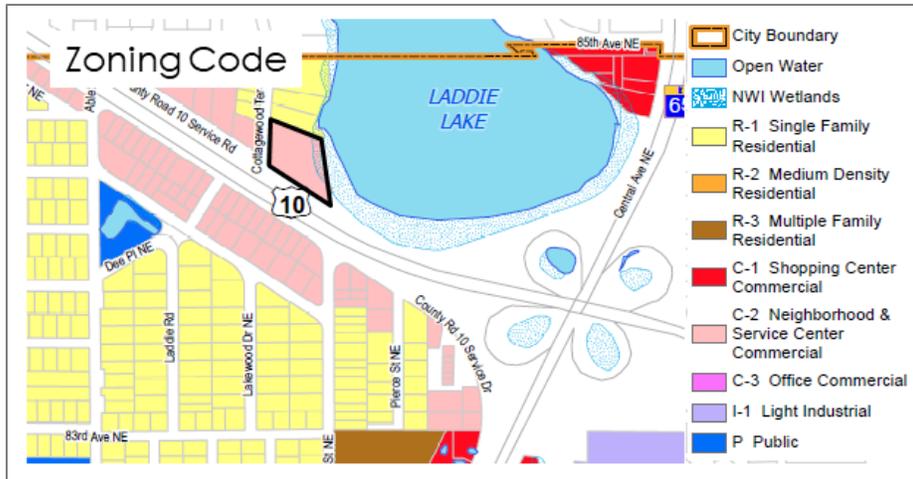


The site is located on the north side of County Highway 10 NE and north west of the County Highway 10/Central Avenue NE interchange. The site is accessible by Cottagewood Terrace NE and the adjacent uses are multi-family residential to the west, single-family residential to the north, Laddie Lake to 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 81<sup>st</sup> Avenue NE  
 Spring Lake Park, MN 55432  
 763-784-6491 (p) 763-792-7257 (f)  
[info@slpmn.org](mailto: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"/> 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: 1109 County Hwy 10 NE, Spring Lake Park, MN 55432		
Property Identification Number (PIN#): 01-30-24-22-0132		Current Zoning: --
Legal Description (Attach if necessary): Lot 4 thru 7 incl blk 1 Laddie Lake add. subj to ease of rec		
APPLICANT INFORMATION		
Name: Matt Nelson		Business Name: DPG Inc. dba Fish-Lectronics
Address: 13748 Bluwewing 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: lindajkrep@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 Request: 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.		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name: n/a		Date of Application: n/a
Nature of Request: n/a		
<b>NOTE:</b> 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 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**

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I wish to be notified of additional costs in the following manner (select one):

E-mail **mnelson03@gmail.com**  Fax \_\_\_\_\_  USPS - Certified Mail

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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 accommodate 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-Lectronics 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!