

RESOLUTION NO. 2024-13

RESOLUTION GRANTING APPROVAL OF CONDITIONAL USE PERMIT TO INCLUDE AUTO REPAIR FOR NORTHTOWN AUTO SALES, 8325 UNIVERSITY AVENUE NE, WHICH INCORPORATE, RESTATE AND MODIFY THE CURRENT PERMIT CONDITIONS

WHEREAS, Muchtar Sajady (the “Applicant”) submitted an application for an amendment to an existing conditional use permit to permit auto repair in addition to auto sales at 8325 University Avenue NE; and

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

That part of Outlot 10 Terrace Manor 4th Addition described as beginning at the Northwest corner of Outlot 9; thence East along the North line of said Outlot 9, a distance of 150 feet; thence North parallel with the West line of said Outlot 10, a distance of 170 feet; thence West parallel with the North line of said Outlot 9 a distance of 150 feet; thence South along the said West line of Outlot 10 to the point of beginning, according to the plat thereof; and

WHEREAS, the Planning Commission considered the Applicant’s request at a duly noticed Public Hearing which took place on January 22, 2024; and

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

WHEREAS, the City Council considered the application at its February 5, 2024 meeting and has made the following findings in support of approval of the conditional use permit application:

1. Northtown Auto Sales has operated at 8325 University Avenue NE under a Special Use Permit approved in 1985 and amended in 1993.
2. The City has standards in the zoning code for setbacks and lot coverage which are reasonable to promote the health, safety and welfare of the City, its residents and businesses. One of the purposes of the setbacks is to encourage and allow the attractive landscaping of business sites.
3. The current site at 8325 University Avenue NE is zoned C-2 and does not comply with the required standards in the zoning code for setbacks and impervious site coverage.
4. With a new landscaped boulevard as recommended with the new Conditional Use Permit the front parking setback would be increased to 9 feet and the impervious site coverage would be reduced to about 92%. The side and rear setbacks would not be affected.
5. The use as conditioned with this approval meets the criteria for approving a Conditional Use Permit in Section 16.56.030(E)(1) of the City Code.

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 Muchtar Sajady for a conditional use permit including auto repair use for Northtown Auto Sales, with the following conditions which incorporate, restate and modify the current permit conditions:

1. The current Special Use Permit at 8325 University Avenue NE, approved in March 1985 and amended in December 1985 and December 1993, is voided and replaced with this new Conditional Use Permit.
2. Auto repair may be conducted on site as long as all repair work is done completely within the building and all other conditions of this permit are adhered to.
3. A new landscaped boulevard along the University Avenue frontage road will be added consisting of an additional 4 foot wide landscaped area, in addition to the existing 5 foot wide landscaped area, for a total of 9 feet wide. The new boulevard will be planted with low shrubs in a plan to be prepared by the owner and reviewed and approved by the City Planner and City Engineer. All landscaping will be installed as indicated on the approved landscape plan and guaranteed for at least one year. The plan is to be completed by October 31, 2024.
4. The number of cars on site at any one time, including vehicles for sale, involved in repair or customer parking is limited to 58.
5. All vehicles on site must be legal and operational for public highways.
6. Hours of operation are 9am to 9pm, Monday through Friday and 9am to 6pm on Saturdays.
7. On-site lighting to be confined to the premises. Any changes in site lighting are to be reviewed and approved by the City Engineer.
8. Existing green space shall be maintained.
9. Fencing will be kept in good repair and attractive appearance.
10. All other standards related to drainage of the site and other site features are to be followed. Any changes must be reviewed and approved by the City Engineer.

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 5th day of February 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator