



TO: Planning Commission
FROM: Angie Comstock – Deputy City Clerk
SUBJECT: Stacy Hardware CUP Application
DATE: February 20, 2024

Background:

Stacy Hardware has submitted its application for a conditional use permit to have power sports sales at its location. The city planner and city engineer is currently reviewing the application. If the CUP is approved, they would apply for site plan review, as they would expand their location to accommodate this use.

Action Requested:

No action, this is informational.



CONDITIONAL/INTERIM USE PERMIT – LAND USE APPLICATION

A conditional use permit application requests a use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

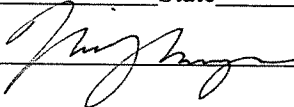
Property Address: 6145 Stacy Trail

Applicant(s) Information:

Name(s) Nick Simpson Cell 612-237-2968
Address 6125 Stacy Trail Home _____
City Stacy State MN Zip 55079 Work _____

Owner(s) Information: (if other than Applicant(s))

Name(s) _____ Cell _____
Address _____ Home _____
City _____ State _____ Zip _____ Work _____

Owner(s) Signature(s)  Date 1/22/24

Legal description of property: _____

Property Identification Number: 19.00063.00 Present zoning: CBD

Present use of property: Rental House

Proposed use of property: Retail Dealership

Description of request: Approval to build a new dealership

THIS APPLICATION AND THE FOLLOWING ATTACHMENTS MUST BE SUBMITTED TO BE CONSIDERED A COMPLETE APPLICATION:

CONDITIONAL USE PERMIT:

1. A site plan of the proposed use showing such information as may be necessary or desirable including but not limited to Section 153.192 of the city code.
2. A letter explaining the proposed use and how it will be operated.
3. A completed Conditional Use Permit Worksheet (attached).
4. The conditional use permit fee and expense reimbursement deposit must be paid at the time of application. The fee is not refundable.
5. All other submission requirements as set forth in City Code Section 153.192
6. Any other information deemed necessary by the Zoning Administrator or Planning Commission.

* **STACY** *****
Permit # _____ OFFICE USE ONLY Date Application Received 1 / 30 / 24
Date Complete Application Received ___ / ___ / ___ 60 Days ___ / ___ / ___ By: A Comstock
Deposit \$ 7500 Fee \$ 90- Date Paid 2 / 12 / 24 Check # 1076
Official



INTERIM USE PERMIT:

1. A site plan of the proposed use showing such information as may be necessary or desirable including but not limited to Section 153.192 of the city code.
2. A letter explaining the proposed use and how it will be operated.
3. A completed Interim Use Permit Worksheet (attached).
4. The interim use permit fee and expense reimbursement deposit must be paid at the time of application. The fee is not refundable.
5. Any other information deemed necessary by the Zoning Administrator or Planning Commission
6. Statement stating why a request is being made for an interim use permit and not a conditional use permit.
7. What is the restoration plan for the property once the interim use ceases.
8. How long is the interim used being requested.

A PUBLIC HEARING CAN BE SCHEDULED ONLY AFTER A COMPLETE APPLICATION HAS BEEN RECEIVED.

Signature of applicant(s) _____ Date _____

(All of Section 153.189, Conditional Use Permit, is attached to this application and by signing this application, the Applicant acknowledges that it has been read and understood.)

(All of Section 153.190, Interim Use Permit, is attached to this application and by signing this application, the Applicant acknowledges that it has been read and understood.)

* STACY *****

Permit # _____ OFFICE USE ONLY Date Application Received 1 / 30 / 24

Date Complete Application Received ___ / ___ / ___ 60 Days ___ / ___ / ___ By: A. Cemstok

Deposit \$ 7500 Fee \$ 90 Date Paid 2 / 12 / 24 Check # 1076



Conditional/Interim Use Permit Worksheet

Applicant(s): Nick Simpson Phone: 612-237-2968

Address: 6145 Stacy Trail

Type of Business: Retail - Powersports

Business Name: NS Investments LLC, Stacy Hardware Inc

The Stacy City Code and Comprehensive Plan can be located on the City's website www.stacymn.org. Answer the following questions; if needed use a separate page. All questions must be answered.

- 1) Will your proposed use create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?
No Explain: _____
- 2) Will your proposed use be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and so there will be no deterrence to development of vacant land?
Yes Explain: _____
- 3) Will the structure and site have an appearance that will not have an adverse effect upon adjacent properties?
Yes Explain: _____
- 4) Is the proposed use reasonably related to the overall needs of the City and to the existing land use?
Yes Explain: _____
- 5) Will the proposed use be consistent with the purpose of the Zoning Ordinance and other City Ordinances?
Mostly Explain: The specific use is not listed in the allowed uses.
- 6) Will the proposed use be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located?
Yes Explain: _____
- 7) Will the proposed use generate only minimal vehicular traffic on local streets?
Yes Explain: _____
- 8) Will the proposed use create traffic hazards or unsafe access or parking needs?
No Explain: _____
- 9) Will existing businesses nearby be adversely affected by your proposed use because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness?
No Explain: _____
- 10) Will the establishment or maintenance of the proposed use be detrimental to the public health, safety or general welfare?
No Explain: _____
- 11) Will the proposed use be hazardous, detrimental, or disturbing to present and potential surrounding land uses due to water pollution, odor, fumes, general unsightliness or other nuisances? Any changes to sanitary sewer output?
No Explain: _____
- 12) How will the proposed use preserve and incorporate the site's important natural and scenic features into the development design?
N/A Explain: _____
- 13) Will the proposed use cause adverse environmental effects?
No Explain: _____
- 14) Is your proposed use in conformity with the Comprehensive Plan and development policies of the City?
Yes Explain: Area is planned to be commercial.



DEPOSIT AND DISBURSEMENT AGREEMENT

THIS AGREEMENT is made and entered into this 30 day of Jan, 2024, by and between Nick Simpson (hereinafter the Applicant(s)), and the City of Stacy, a municipal corporation (hereinafter the City).

1. The Applicant(s) have filed an application for a Conditional/Interim Use Permit for property (hereinafter the Property) located at 6145 Stacy Trail, Stacy MN 55079.
2. Applicant(s) understand and acknowledge that the City requires certain financial security for reimbursement of all costs incurred by the City relating to the review and processing of the application, including but not limited to administrative costs, engineering and planning costs, and attorney fees.
3. The Applicant has deposited \$7,590 (\$7,500 Deposit, \$90 application fee) for a Conditional/Interim Use Permit deposit with the City.
4. The undersigned intend that said amount of \$ 7,500 shall constitute the security required under this agreement, and that said amount is only an estimate of the total city cost.

AGREEMENT

NOW, THEREFORE, in consideration of the property noted above, which are hereby adopted and relied upon by the undersigned, and other good and valuable consideration deemed sufficient by the parties hereto, the undersigned agree as follows:

1. The said amount of \$7,500 shall be held on deposit by the City in a separate account under its sole control not bearing interest to the applicants, subject to the terms of this agreement. The City shall mail monthly statements to the Applicant for all costs incurred on behalf of the City for work in reviewing and processing Applicant's application, including but not limited to engineering, planning, legal and administrative costs (the "City Costs"). In the event that the deposit made above does not cover the amount noted on the Statement the Applicant will deposit an additional \$5,500; within 30 days of the receipt of the Statement. In the event the City Costs are not paid by the Applicant within the time required herein, the City may cease all work on the project and the Applicant(s) will be considered to be in default of this agreement. This agreement obligates the Applicant(s) to pay all City Costs contemplated under this agreement and Applicant(s) liability is not limited to the \$7,500 initial deposit. The Developer shall reimburse the City for reasonable costs incurred in the enforcement of this Agreement, including engineering and attorneys' fees.


2. Upon completion of the application process and upon Applicant's payment in full of all City Cost, the balance of the security deposit under this agreement, if any, shall be paid by the Applicant.

APPLICANT

CITY

Nick Simpson

Applicant Name



Deputy City Clerk, Angie Comstock



PROPOSED PROJECT BUDGET WORKSHEET

Please allow at least 5 business days for development of your project budget.

Project Description:	Dealership Building
Project Number:	124
Applicant:	Nick Simpson
Owner:	NS Investments LLC, Stacy Hardware Inc
Address:	6145 Stacy Trail, Stacy MN 55079
Email Address:	nick@stacyhardware.com
Date:	1/22/24

Proposed budget for your land use request:

Conditional/Interim Use Permit:

Description	Cost
Application Fee	\$90.00
Engineering	\$5,000.00
Legal	\$2,000.00
Administrative	\$500.00
Special Meeting of Council and/or Planning Commission	
Application Deposit Required:	\$7590
Budget Adjustment Required Additional Deposit	
Attachments	
CUP Application	Attached <input checked="" type="checkbox"/>
CUP Worksheet	Attached <input checked="" type="checkbox"/>
Applicable Zoning District	Attached <input checked="" type="checkbox"/>
Deposit and Disbursement Agreement	Attached <input checked="" type="checkbox"/>
City Code §153.051(K)	Attached <input checked="" type="checkbox"/>
City Code §153.189	Attached <input checked="" type="checkbox"/>
City Code §153.192	Attached <input checked="" type="checkbox"/>
City Code §34.01	Attached <input checked="" type="checkbox"/>

I understand that the budget set for my project is an estimate and my costs are not limited to that amount; I agree to deposit additional funds for my project as required by the Deposit and Disbursement Agreement.

APPLICANT

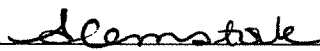
Nick Simpson

Applicant Name

1/22/24

Date

CITY



Deputy City Clerk, Angie Comstock

Date

Contact Information:

Deputy City Clerk

Angie Comstock

deputycityclerk@stacymn.org

651-462-4486

City Attorney

James Mongé

JMonge@ck-law.com

651-234-6201

City Engineer

Dan Boyum

Dan.Boyum@stantec.com

612-712-2021

City Planner

Phil Carlson

Phil.Carlson@stantec.com

612-712-2028

Jan 22, 2024

To: Stacy Planning Commission

Re: Use of 6145 Stacy Trail

Hello,

I recently purchased the Stacy Hardware store and the neighboring property at 6145 Stacy Trail. My expansion plan is to maintain the hardware store, but move the Polaris dealership into a new building with a showroom and adequate service shop located on the 6145 lot. That lot is currently zoned CBD, however Powersports dealer is not on the approved list of uses in the current zoning documents. The current business of Stacy Hardware has included the Powersports component for the last 30+ years, so from that aspect, it wouldn't be changing the core business, but expanding it in to a new space.

I would like to obtain a CUP for the dealership use of 6145.

Thanks for your attention to the matter,

Nick Simpson

The screenshot shows a GIS application interface with a map of a property. The map displays a large lot with a building footprint and surrounding areas. The data table at the bottom provides the following information:

PIN	DotPin	Ownname	MallAddr	MallCity	MallState	MallZip	PropAddr	PropUnit	PropCity	PropZip	DeedAcres	gisacres	City_Town
190006400	19.00064.00	JAMES H & DONNA R KEACHER REV PO BOX 70		STACY	MN	55079-0070	6125 STACY TRL		STACY	55079	0.5	0.51	STACY CITY
190006300	19.00063.00	JAMES H & DONNA R KEACHER REV PO BOX 70		STACY	MN	55079-0070	6145 STACY TRL		STACY	55079	1.47	1.55	STACY CITY

Scale 1: 1000
X: 526781.1971 Y: 136367.2129