



CITY OF SOUTH ST. PAUL MEETING AGENDA

PLANNING COMMISSION

Council Chambers 125 3rd
Ave N South St. Paul, MN
55075

Wednesday, August 5, 2026
7:00 PM

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. MINUTES**
 - A. July 1, 2026 Planning Commission Meeting Minutes
- 4. PUBLIC HEARINGS**
 - A. Conditional Use Permit and Variance for Storage Shed at 1023 Highland Avenue
 - B. Conditional Use Permit for Fury Motors Off-Site Employee Parking Lot
- 5. NEW BUSINESS**
- 6. OTHER BUSINESS**
- 7. STAFF UPDATES**
 - A. Staff Update
- 8. ADJOURNMENT**

MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
July 1, 2026

ACTING CHAIR MILLER CALLED THE MEETING TO ORDER AT 7:00 PM ON WEDNESDAY, JULY 1, 2026.

1) ROLL CALL

Present:

- Geoff Fournier
- Tracy Haye
- Andrew Hoffman
- Brianne Miller
- Alex Wegehaupt

Absent:

- Tim Felton
- Tyler Fehrman

Staff Present:

- Michael Healy, Planning Manager

2) APPROVAL OF AGENDA – Motion to approve the agenda as presented- Hoffman/Fournier (5-0).

3) APPROVAL OF MINUTES – May 6, 2026 –Motion to approve the minutes as presented– Fournier/Hoffman (5-0).

4) PUBLIC HEARINGS

A. Camber Hill Townhomes Renovation Project Development Application

Mr. Healy presented the staff report. The Applicant, Twin Cities Housing Development Corporation, recently purchased the Camber Hill townhomes with the intention of renovating the development to improve the functionality and aesthetics of the site. The property, which contains 10 townhome buildings, is located along Camber Avenue and is built into an existing bluff. Several zoning approvals are needed for the proposed renovations to take place. Staff is recommending approval of the development application.

Ken Isaacson from Twin Cities Housing Development Corporation was present to answer questions.

Commissioner Haye asked about the timeline for the project. Mr. Isaacson stated the project was expected to take 12 to 14 months from start to finish due to the need to temporarily relocate the building's existing occupants during construction. The construction was expected to be completed by Fall of 2027.

Acting Chair Miller asked if the City is the final approver for variances within the Mississippi River Critical Corridor Area. Mr. Healy stated that the City Council makes the final decision about variances and conditional use permits in MRCCA, with the provided recommendation from the Minnesota Department of Natural

Planning Commission Minutes

July 1, 2026

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Resources and the National Park Service in mind. If the City Council approved a MRCCA conditional use permit or variance that either agency felt does not align with the MRCCA regulations, they could seek to block the zoning approval in court.

Acting Chair Miller opened the public hearing.

No correspondence was received from the meeting. No one was present to comment on the application.

Acting Chair Miller closed the public hearing.

Commissioners Hoffman and Wegehaupt shared their support for the project.

Motion to recommend approval of the Camber Hill Townhome Renovation Development Application- Hoffman/Fournier (5-0).

6) OTHER BUSINESS

None.

7) STAFF UPDATES

Mr. Healy shared construction was underway for two projects previously reviewed by the Planning Commission: the Bonfe expansion and the new Circle K gas station. Mr. Healy invited the commissioners to the groundbreaking for the Bonfe development on Tuesday, July 7th at 10:45 AM. Mr. Healy also shared the grand opening for Don Carlos Taqueria was scheduled for Thursday, July 2nd.

8) ADJOURNMENT

Motion to adjourn- Hoffman/Fournier (6-0).



PLANNING COMMISSION AGENDA REPORT

DATE:

August 5, 2026

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

4.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Conditional Use Permit and Variance for Storage Shed at 1023 Highland Avenue

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

A motion recommending approval or denial of a conditional use permit and variance for a storage shed at 1023 Highland Avenue.

OVERVIEW

Application

The Applicant is Michael Adkins, the owner of the single-family home that is located at 1023 Highland Avenue. The Applicant is seeking to build a 240 square foot garden shed in the part of his yard that is to the east of his house. The project needs the following zoning approvals:

1. A conditional use permit for a detached accessory building that is larger than 200 square feet in size. *Per the City Code, a conditional use permit is required for any detached accessory building that is larger than 200 square feet which is not a garage capable of storing motor vehicles. The Applicant already has a detached garage.*
2. A variance to place the shed in an area that is technically a front yard. *The Applicant's property is a corner lot. The eastern property line is the legal front property line even though the house faces the north property line. The Applicant wants to place the shed between the house and the eastern property line in what is legally the property's front yard. Detached accessory buildings are not allowed in front yards.*

Review Timeline

Complete Application Submittal: July 1, 2026

Planning Commission: August 5, 2026

Tentative City Council Review of Conditional Use Permit: August 17, 2026

60-Day Review Deadline: August 30, 2026

Background

The Subject Property, 1023 Highland Avenue, is a single-family home that was constructed in 1886. The property currently has an 846 square foot detached garage (an oversized 3-car garage) that was constructed in 1996. The Applicant has owned the home since 2013. The Applicant has a large family with 9 children and has stated that he has storage needs that significantly exceed what he can fit in his detached garage. He is seeking to construct a 240 square foot storage shed so that he will have space to store yard tools, children's recreational equipment, and bicycles.

Property Characteristics

The subject property consists of a 0.42-acre tax parcel that was created by combining one full platted lot and pieces of two other platted lots from the Block 3 of the SOUTH PARK DIVISION NUMBER 6 subdivision which was completed in 1886. The Applicant owns most of Lot 2, all of Lot 3, and most of Lot 4 within Block 3. The subject property's current dimensions have been in place since 2000 when a small piece of land was sold to the adjacent property to resolve a property line issue where a part of that property's garage encroached onto the subject property.

The subject property is considered a corner lot because Highland Avenue turns very sharply as it wraps around the property with an interior angle of 110 degrees. The City Code deems a property to be a corner lot if a street wraps around it and the interior angle of the street curve is less than 135 degrees. Because the property is a corner lot, Highland Avenue north of the subject property is legally considered one street frontage and Highland Avenue east of the subject property is legally considered a second separate street frontage. The City Code states that a corner lot's shortest street frontage is legally considered the front property line, regardless of which direction the front door of the house faces. This means that the Applicant's eastern property line is legally considered the front property line even though the main entrance to the Applicant's house faces the north property line.

Here are the relevant definitions from Section 118-8 of the City's zoning code:

- *Lot, corner*, means a lot situated at the junction of and abutting on two or more intersecting streets, or a lot at the point of a deflection in alignment of a single street, the interior angle of which does not exceed 135 degrees.
- *Lot line, front*, means the boundary of a lot that abuts a public street or private road. In the case of a corner lot, it shall be the shortest dimension on a public street. If the dimensions of a corner lot are equal, the front lot line shall be designated by the city engineer. In the case of a corner lot in a nonresidential area, the lot shall be deemed to have frontage on both streets.

Zoning and Comprehensive Plan Guidance

The subject property is zoned R-2 Single and Two Family and is guided “Low Medium Density Residential” in the 2040 Comprehensive Plan. The R-2 zoning district allows single-family homes as a permitted use. The Low Medium Density Residential land use guidance calls for single-family homes, duplexes, and twinhomes. The Applicant’s continued use of the property as a single-family home is consistent with its zoning designation and future land use guidance.

Relevant City Code

The following code sections are relevant to this review:

- Section 118-8 of the City Code provides definitions of various zoning concepts
- Section 118-39 of the City Code governs Variances
- Section 118-40 of the City Code governs Conditional Use Permits.
- Section 118-122 of the City Code governs the R-2 Single- and Two-Family Zoning District.
- Section 118-208 of the City Code governs detached accessory buildings.

Evaluation of Shed Proposal

Lot Coverage

Residential properties are allowed up to 35% lot coverage by buildings. The subject property is currently at about 13% lot coverage so there is plenty of remaining allowance for the proposed storage shed.

Exterior Building Materials and Finish

The proposed shed will have an asphalt shingle roof and LP siding (engineered wood). These are allowed exterior building materials for a shed. The shed is proposed to have a barn-style mansard roof and several farm-style architectural flourishes such as windows and a faux hay-loft door.

Height

Storage sheds are allowed to be up to 12 feet in height. The proposed shed is just under 12 feet and complies with the height limit.

Setbacks

Sheds are required to be set back 5 feet from side property lines if they are located within the front 2/3 of a property. Sheds that are wholly located within the rear third of a property only require a 3-foot setback. Sheds that are larger than 200 square feet require a building permit and

must fully comply with the State Building Code which mandates either a 5-foot setback or a firewall along the side of the shed that is closest to the property line.

The Applicant's proposed shed is in the front 2/3 of the lot so it will need to have a 5-foot setback from the side property line. The Applicant will need to adjust their site plan because they were originally hoping to utilize a 3-foot setback.

Size Allowance for Detached Accessory Buildings

Each residential property in the R-2 zoning district is allowed to have up to three detached accessory buildings so long as the total square footage of all three accessory buildings does not exceed 1,200 square feet and the overall property does not have more than 35% lot coverage by buildings.

- Each property is allowed up to a 1,000 square foot detached garage. *The property already has an 846 square foot detached garage.*
- Each property is allowed one non-garage storage building but a conditional use permit is required if said building is larger than 200 square feet. The City can place conditions on the conditional use permit to ensure that it is not being used unlawfully (i.e. as living quarters or as a base of operations for an unlawful home business). *The property currently has a small plastic shed which will need to be removed. As long as the existing shed is removed, Staff supports the Applicant's request to have a 240 square foot storage shed.*
- Each property is allowed one non-storage accessory building such as a greenhouse or gazebo. *The property does not currently have any non-storage accessory buildings.*

Proposed Shed Placement in a Front Yard Area

Section 118-208 of the City Code states the following:

(c) Location.

b. No accessory building shall be located nearer to the front lot line than the principal building on that lot.

This code provision is interpreted in a straightforward manner to mean that a shed cannot be placed in such a manner that it is closer to the front property line than the front of the house is. This means that sheds and garages, just like privacy fences, need to be at least as far back from the front property line as the nearest front corner of the house. This is an important rule to protect streetscape aesthetics in residential neighborhoods. It would greatly undermine neighborhood curb appeal if people were putting storage sheds in their front yards. Corner lots are expected to play by the same rules as the rest of the block and keep the front yard clear of accessory buildings even in situations where the home builder made an architectural decision to have their house face the side street instead of the front property line.

The Applicant's house technically faces the side street (Highland Avenue north of the house) instead of facing the front property line (Highland Avenue east of the house). This zoning situation was caused by the lot combination that created the subject property by combining Lot 2, Lot 3, and Lot 4 of Block 3 of SOUTH PARK DIVISION 6. Both Lot 2 and Lot 3 face north and the Applicant's house is oriented to face north towards what would be the front property line if he just owned Lot 2 and Lot 3. Lot 4 faces east and has a different front property line. Because Lot 2, Lot 3, and Lot 4 have all been combined to form one tax parcel, the shortest street frontage becomes the front property line for the entire parcel and the east property line is considered the front property line even though the house faces north.

The Applicant has pointed out in his narrative that his proposed shed location is logical and he is putting the shed in what "feels" like a street side yard even though it is technically a front yard. People driving by the property who notice the shed will not react as if there is a storage shed in the front yard. It is possible that people driving by the property will not even notice the storage shed because there is an elevation change and the shed will sit in an area that is not readily visible from the public right-of-way. There is a steep elevation change north of the Applicant's property and the house on the opposite side of Highland Avenue sits about 30 feet below the subject property so there is no real visual exchange between the properties.

City Staff supports the Applicant's variance request and agrees that there is a practical difficulty that is unique to the property. The Applicant is seeking to put a shed in a location where it makes sense to place a shed because it functions like a street side yard for his corner lot even though technically it is the front yard. Sheds are typically allowed in street side yards as long as they are set back at least 9 feet from the street side property line. The City probably would not want the Applicant to put a shed in the subject property's actual street side yard (north of the house) because it would interfere with the aesthetics of the home's front façade and would negatively impact the property to the west which has a front yard facing north.

Variance Criteria

The Planning Commission is asked to review the proposed variance using the criteria laid out in City Code Section 118-39. Staff have drafted an analysis that the Planning Commission can use if they wish to recommend approval of the variance.

- a. That the variance is in harmony with the general purpose and intent of the ordinance.

The general purpose and intent of the ordinance is to prevent detached accessory buildings from undermining streetscape aesthetics by being placed in front yard areas where they are closer to the street than the nearest front corner of the house. On corner lots, sheds are allowed in street side yards as long as they are set back at least 9 feet from the street side property line. The Applicant is seeking to put a shed in a location where it makes sense to place a shed because it functions like a street side yard for his corner lot even though it is a front yard due to technicalities brought on by a lot combination. The City would not want the Applicant to put a shed in subject property's actual street side yard (north of the house) because it would interfere with the aesthetics of the home's front façade and would negatively impact the property to

the west which has a front yard facing north.

- b. That the terms of the variance are consistent with the Comprehensive Plan.

The comprehensive plan guides the subject property towards continued use as a single-family home. It is appropriate for a single-family home to have a storage shed.

- c. That economic considerations are not the reasoning for the variance.

Economic considerations are not the reasoning for the variance. The reasoning for the variance is that the Applicant wants to place his shed in a location that makes sense and will not undermine the functionality of his yard or the streetscape aesthetics of his 140-year old historic home.

- d. That the Property Owner proposes to utilize the property in a reasonable manner.

It is reasonable to have a garden shed at a single-family home property. It is reasonable to place a garden shed in a street side yard of a corner lot property. The proposed shed will be in an area that functions as a street side yard due to the specifics of the curve of the street, the configuration of the block, and the topography of the neighborhood.

- e. That the plight of the property is due to a unique circumstance not created by the property owner.

The plight of the property is due to a lot combination that was undertaken by a previous property owner. That previous owner decided to construct their home with an orientation towards a property line that was originally the front property line of the lot that the house sits on (Lot 3, Block 3) but is no longer considered the front property line because of the lot combination with an adjacent parcel (Lot 4, Block 3). It is not clear whether the lot combination occurred before or after the home was constructed. Either way, it is unusual for lots that face different streets to be combined into one tax parcel.

- f. That the variance will not alter the essential character of the neighborhood.

The variance will not alter the essential character of the neighborhood. The shed is set back from the front property line and there are topographical considerations that make it very unlikely that anybody in the neighborhood will notice that this variance was granted.

Conditional Use Permit Criteria

Conditional Use Permits should be reviewed through the lens of the criteria outlined in the City Code:

- (1) That the conditional use, with such conditions as the commission shall determine and attach, conforms to the general purpose and intent of this chapter.
- (2) If the application is based on the conditional use provision in this chapter that the issuance conforms to the general characteristics of the district of which it will become a part.
- (3) That the conditional use will not impede the normal and orderly development and improvement of property in the neighborhood for uses permitted in the district or districts affected.
- (4) That adequate utilities, access roads, streets, drainage, and other necessary facilities have been or will be provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress in such a manner as to minimize traffic congestion and hazards in the public streets.
- (6) *In Business districts.* Certain uses are considered, as a rule, unsuitable in commercial areas because of inherent characteristics (e.g., traffic hazards, noise, light glare), proximity to residential areas, the fact that they tend not to serve nearby residential areas, or may adversely affect nearby permitted business uses.

STAFF RECOMMENDATION

Staff recommends approval of the variance and conditional use permit with the following conditions:

1. **Approved Plans.** The conditions of this approval are based on the following plans:

a. Application (Michael Adkins)	dated 7/1/2026
b. Narrative (Michael Adkins)	Not dated
c. Shed Plans (Backyard Products)	4/1/2026
d. Site Plan Drawn on Survey from 1995	Not dated
2. **Building Permit Required.** The Applicant shall obtain a building permit prior to starting construction. All building plans and specifications are subject to the review and approval of the City Building Official.
3. **Zoning Requirements for Building Design.** The detached garage shall be built to the Zoning Standards stated in Section 118-208 and must adhere to all height and setback requirements for detached garages except that it may encroach into the front yard as shown on the approved site plan.

4. **Limitations on Storage.** The storage shed shall be used only for personal storage. No motor vehicles may be stored in the proposed shed.
5. **Compliance with Home Occupation Regulations.** The storage shed may not be utilized in a manner that violates any of the City's rules for home occupations.
6. **No Use as Living Quarters.** The storage shed may not be used as living quarters.
7. **Setback from Side Property Line.** The shed shall be set back at least 5 feet from the side property line that is shared with the property to the southeast (1011 Highland Avenue). The Applicant is responsible for locating the property line either by finding their property corners or having the property line marked by a licensed surveyor.
8. **Removal of Existing Shed.** The property is only allowed to have one storage shed. The existing plastic storage shed must be removed and the new shed shall not be eligible for a final inspection until the existing shed has been removed.
9. **Termination of the Conditional Use Permit.** The Conditional Use Permit will terminate automatically if improvements have not substantially begun within one year from the date of approval. Additionally, the violation of any condition of approval in the conditional use permit may terminate the conditional use permit(s), following a hearing by the City Council.

Action Requested

The Planning Commission has the following actions available on the proposed application:

1. Approval. If the Planning Commission wishes to recommend approval of the conditional use permit and variance, the following action should be taken:
 - A. Motion to recommend approval of a conditional use permit and variance for a storage shed at 1023 Highland Avenue.
2. Denial. If the Planning Commission wishes to recommend denial of the conditional use

permit, the following action should be taken:

- B. Motion to recommend denial of a conditional use permit and variance for a storage shed at 1023 Highland Avenue.

If the Planning Commission wishes to recommend denial of the variance and/or the conditional use permit, they will need to adopt findings in support of the denial.

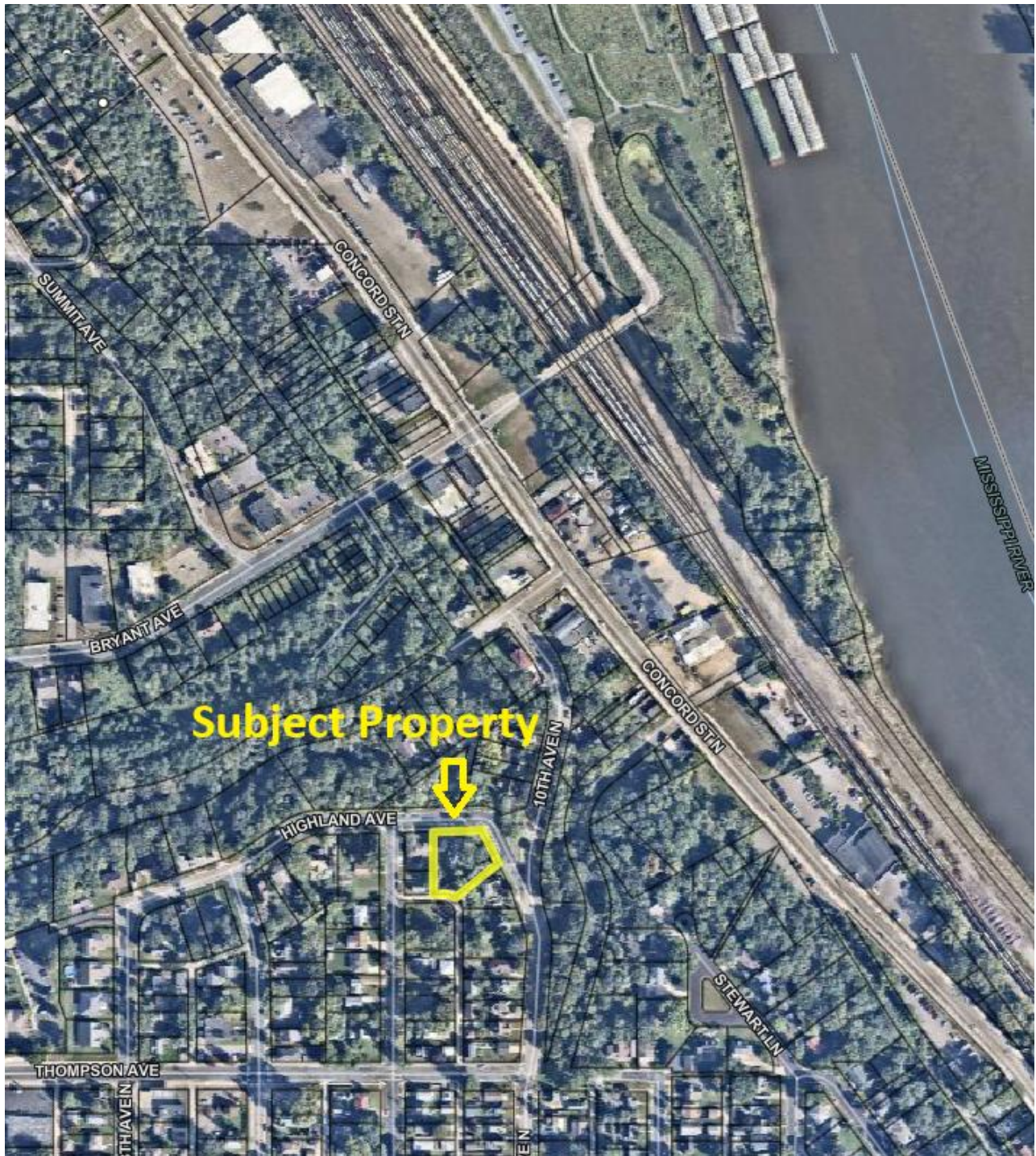
SOURCE OF FUNDS

NA

ATTACHMENTS

1. Site Location Map
2. Aerial Photograph
3. Exhibit Showing Front Property Line
4. Excerpt from South Park Division 6 Plat Map
5. Photographs of Subject Property
6. Proposed Site Plan
7. Shed Plans
8. Applicant's Narrative

ATTACHMENT 1
SITE LOCATION MAP



**ATTACHMENT 2
AERIAL PHOTOGRAPH**



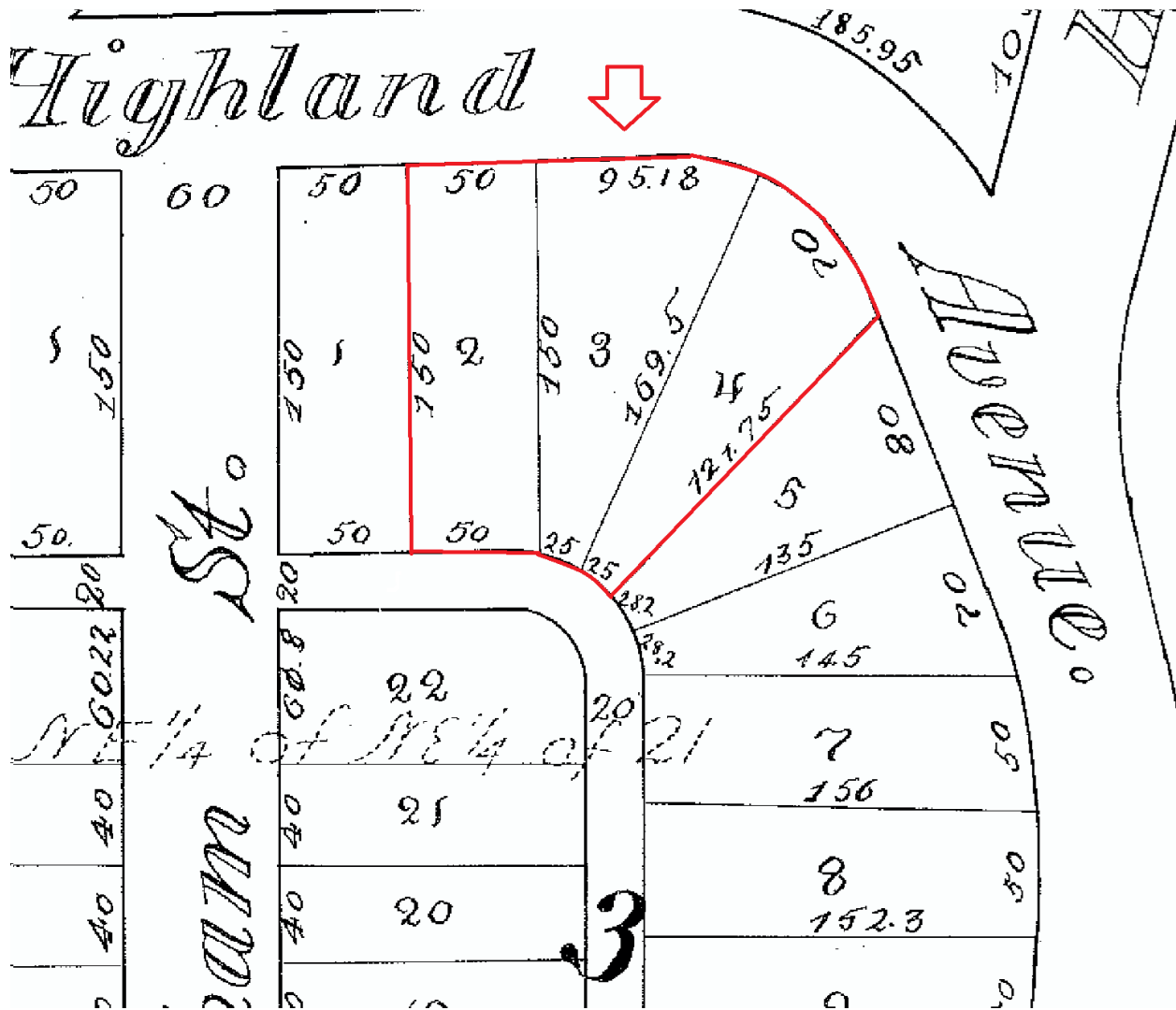
ATTACHMENT 3
EXHIBIT SHOWING FRONT PROPERTY LINE



Lot, corner; means a lot situated at the junction of and abutting on two or more intersecting streets, or a lot at the point of a deflection in alignment of a single street, the interior angle of which does not exceed 135 degrees.

Lot line, front, means the boundary of a lot that abuts a public street or private road. In the case of a corner lot, it shall be the shortest dimension on a public street. If the dimensions of a corner lot are equal, the front lot line shall be designated by the city engineer. In the case of a corner lot in a nonresidential area, the lot shall be deemed to have frontage on both streets.

EXHIBIT 4
EXCERPT FROM SOUTH PARK DIVISION 6 PLAT MAP



- The Applicant's property was created by combining part of Lot 2, all of Lot 3, and part of Lot 4 into a single tax parcel.
- Lot 4 has frontage on a different street segment than Lot 2 and Lot 3.
- Because Lot 4 has the narrowest frontage, its front property line is now considered the legal front property line for the entire tax parcel.

ATTACHMENT 5
PHOTOGRAPHS OF SUBJECT PROPERTY



The main façade of the house faces the street side property line



Highland Avenue Wraps Around the Property at a Sharp Angle and Makes it a Corner Lot



This is the side of the house that faces what is legally the front property line



The proposed shed would be placed at the top of this hill and will have limited visibility from the street



There is dense vegetation along the legal front property line which will block views of the proposed shed from many angles



The shed will be placed roughly where the existing plastic shed is located today

ATTACHMENT 6
PROPOSED SITE PLAN

(612) 457-3845
FAX (612) 457-8642

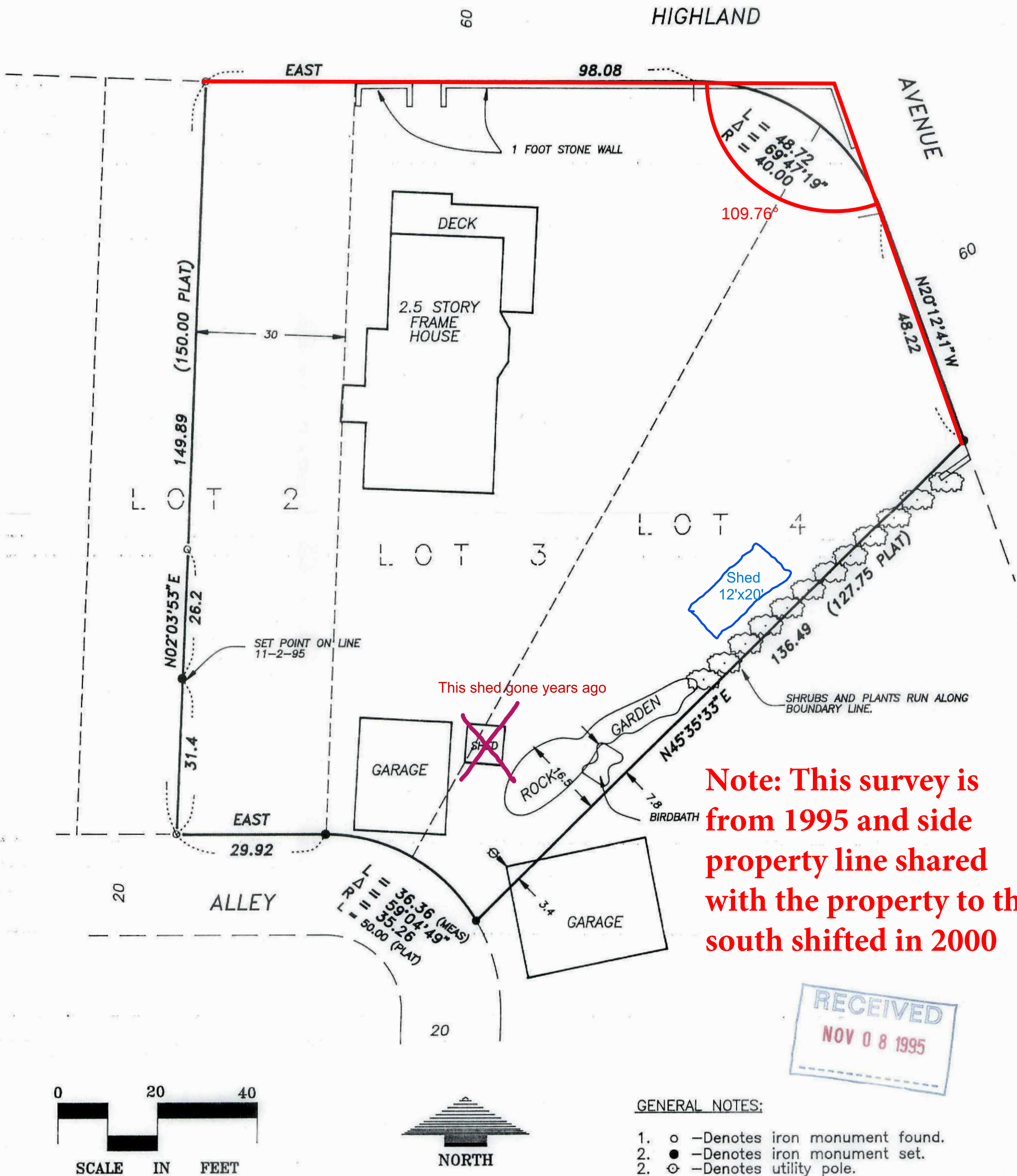
FOR: CAROL STOMBAUGH

DATE: 7 NOVEMBER 1995

SCALE: 1 inch = 20 feet

LEGAL DESCRIPTION

Lots 3 & 4, and the East 30 feet
of Lot 2, South Park Division No. 6,
Dakota County, Minnesota.



I Hereby Certify that this survey, plan or report was prepared by me under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

William P. Brown
WILLIAM P. BROWN L.S. MINN. REGISTRATION NO. 19527

Technical drawing of a small building with a gabled roof and a double door. The drawing includes dimensions for the overall structure, the door, and the roof. Callouts identify various trim pieces, the door transom window, hinges, and the floor frame.

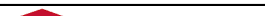
Dimensions:

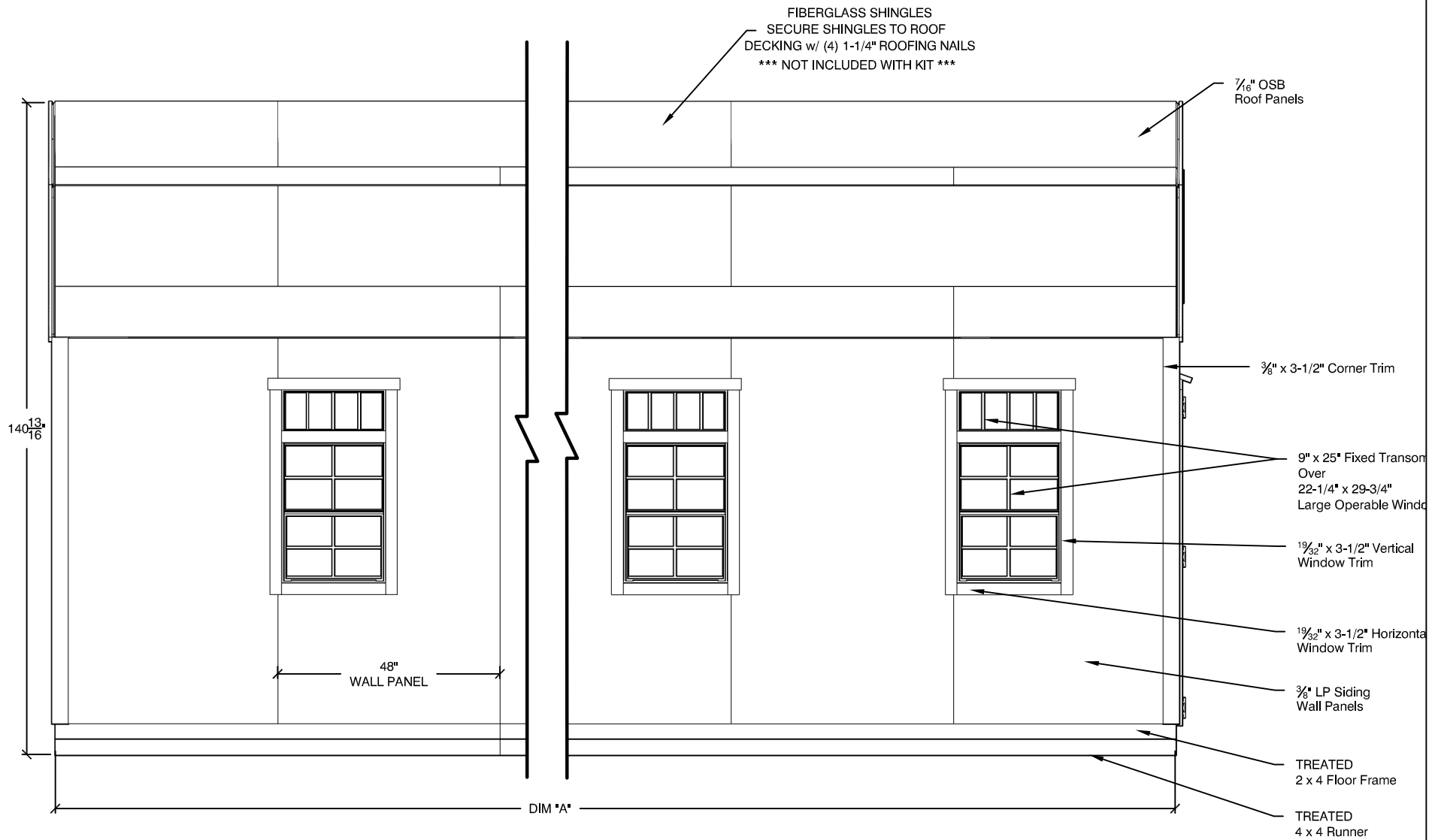
- Overall Width: 146 ³/₁₆"
- Overall Height: 140 ⁷/₈"
- Roof Height: 19 ¹/₃₂"
- Door Height: 72"
- Door Width: 32"
- Sidewall Height: 84"
- Transom Window: 9" x 25"
- Floor Frame: Treated 2 x 4
- Floor Runner: Treated 4 x 4

Callouts:

- 19 ¹/₃₂" x 3 ¹/₂" Faux Door Trim
- 19 ¹/₃₂" x 2 ¹/₂" Faux Door Cross Buck Trim
- 19 ¹/₃₂" x 3 ¹/₂" Gable Trim
- 5/4" Over Door Trim/Rain Guard
- 9" x 25" Door Transom Window
- 3/8" x 3 ¹/₂" No Groove Corner Trim
- 3/8" No Groove LP Siding Wall Panel
- Face Mount Hinges
- Locking L-Handle

SCALE: 3/8" = 1'-0"

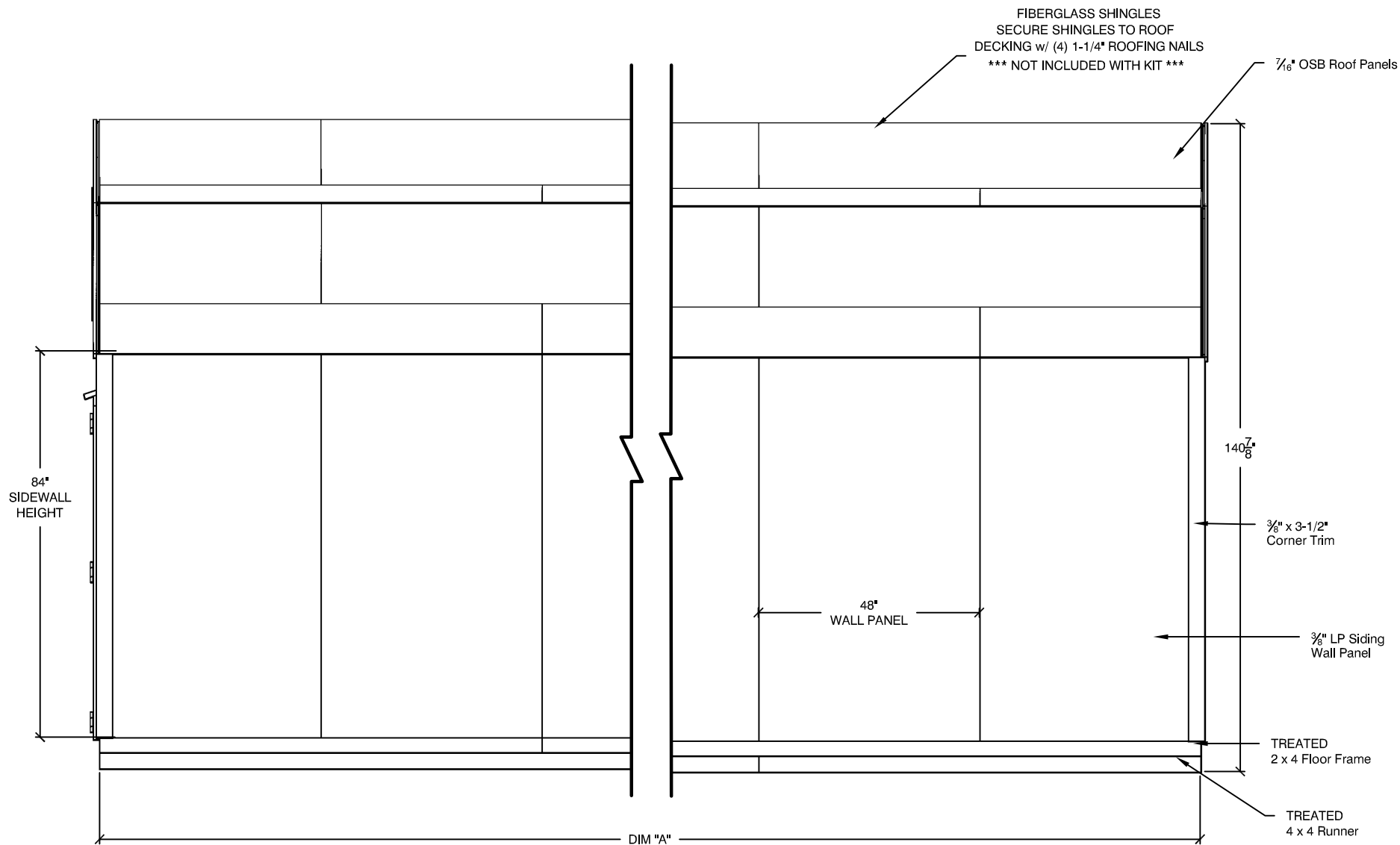
Depth Dim. "A "	16'-0"	20'-0"	 12' WIDE HAMPTON FRONT WALL ELEVATIONS
Gable 12'-0" wide by:			



LEFT EAVE WALL w/WINDOWS ELEVATIONS

SCALE: 3/8" = 1'-0"

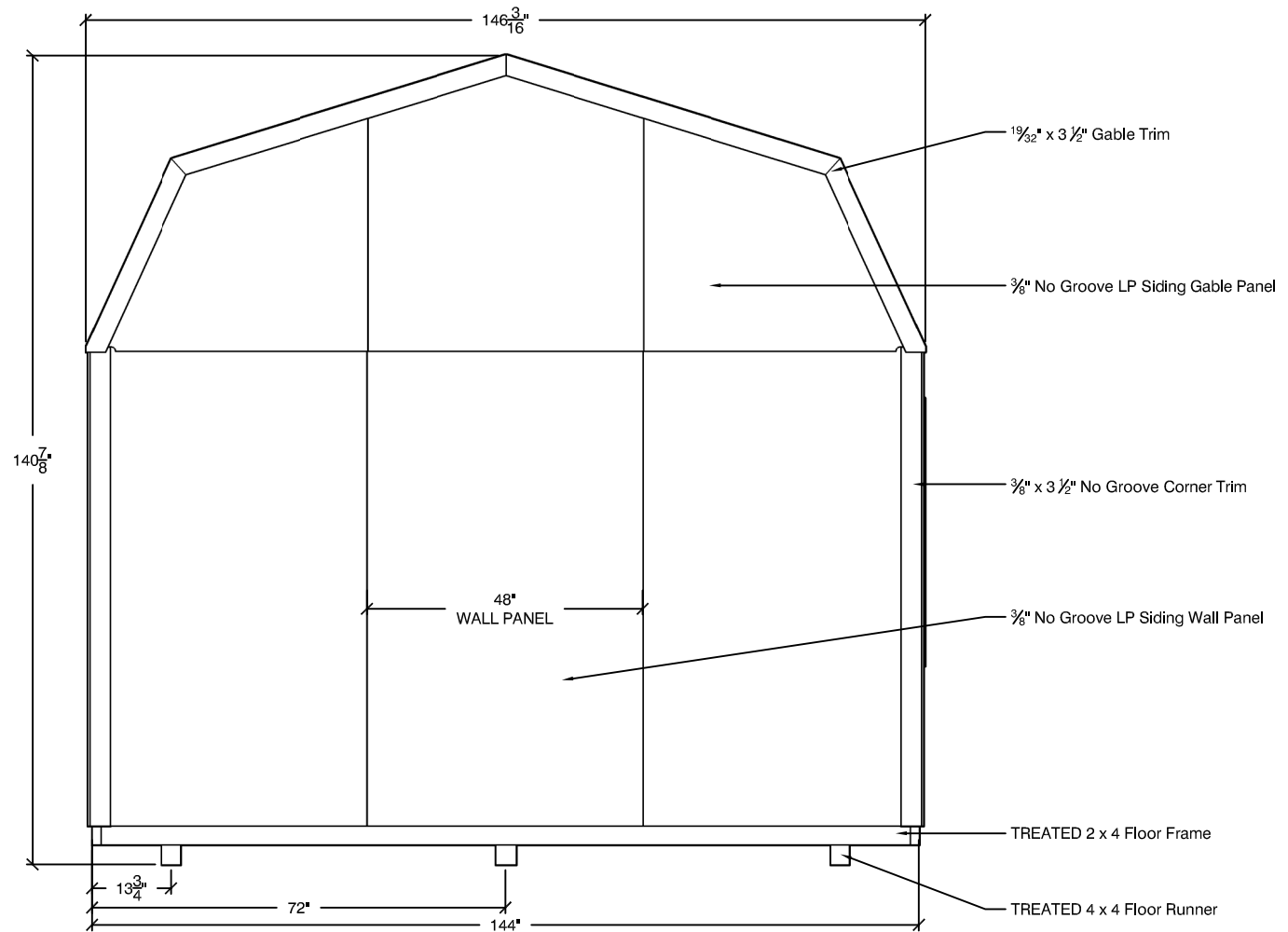
Depth Dim. "A "	16'-0"	20'-0"		12' WIDE HAMPTON LEFT WALL ELEVATIONS <table><tr><td>SIZE:</td><td>ADDRESS</td><td>DWG BY:</td><td>Last Revision</td></tr><tr><td>A</td><td>1000 Ternes Dr Monroe, MI 48162</td><td>Jake Straub</td><td>04/01/2026</td></tr><tr><td>SCALE:</td><td>As Noted</td><td>PHONE</td><td>734-242-6900</td></tr></table>			SIZE:	ADDRESS	DWG BY:	Last Revision	A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026	SCALE:	As Noted	PHONE	734-242-6900
SIZE:	ADDRESS	DWG BY:		Last Revision														
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Gable 12'-0" wide by:				Page 22 of 58														



RIGHT EAVE WALL ELEVATIONS

SCALE: 3/8" = 1'-0"

Depth Dim. "A "	16'-0"	20'-0"	 12' WIDE HAMPTON RIGHT WALL ELEVATIONS			
Gable 12'-0" wide by:						
SIZE A	ADDRESS 1000 Ternes Dr Monroe, MI 48162	DWG BY. Jake Straub	LAST REVISION 04/01/2026	SCALE As Noted	PHONE 734-242-6908	Page 23 of 58



REAR WALL ELEVATIONS

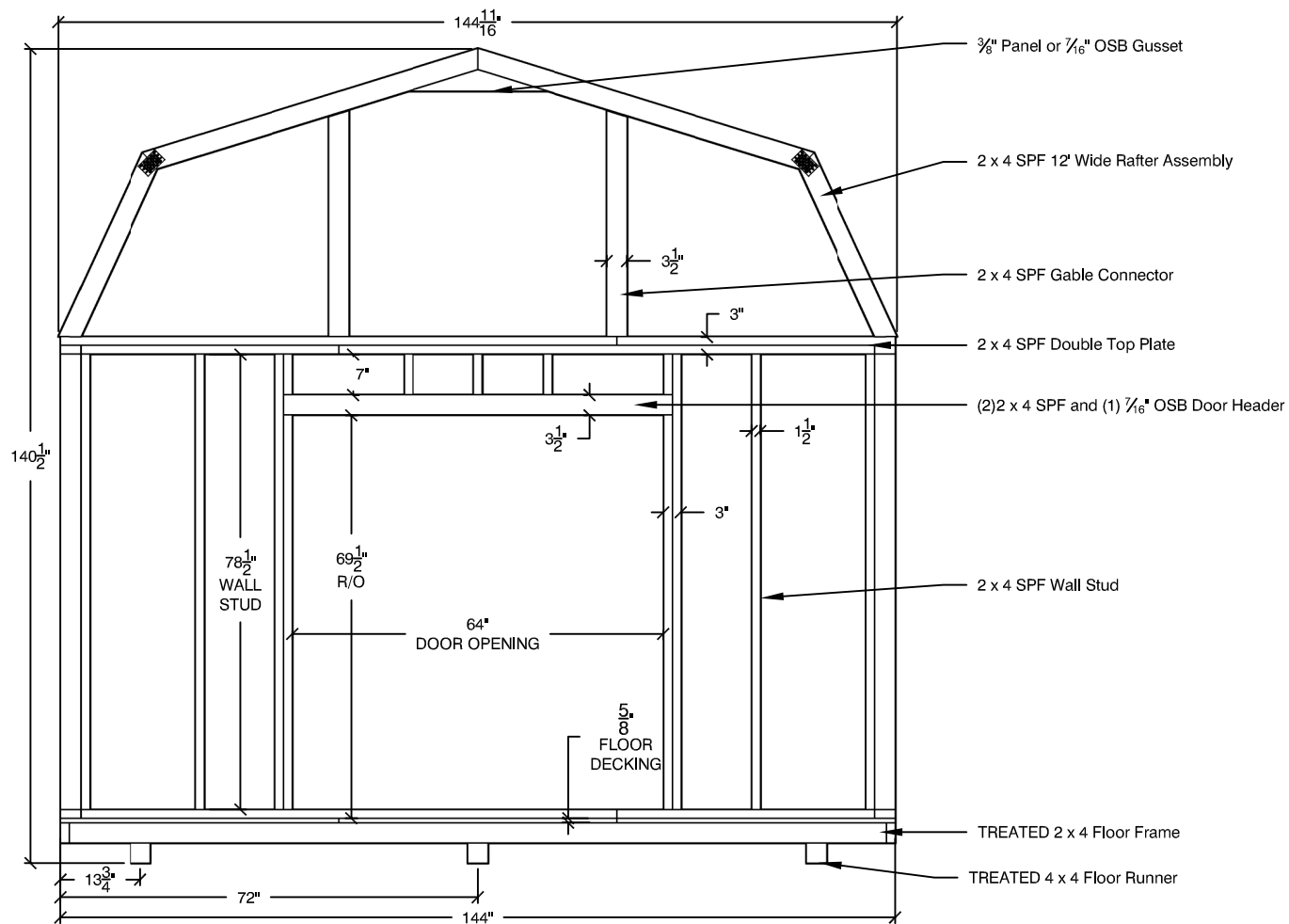
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Gable 12'-0" wide by:		



12' WIDE HAMPTON
REAR WALL ELEVATIONS

SIZE	ADDRESS	DWG BY.	Last Revision
A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026
SCALE	As Noted	PHONE	734-242-6900



FRONT WALL FRAME w/DOOR OPENING

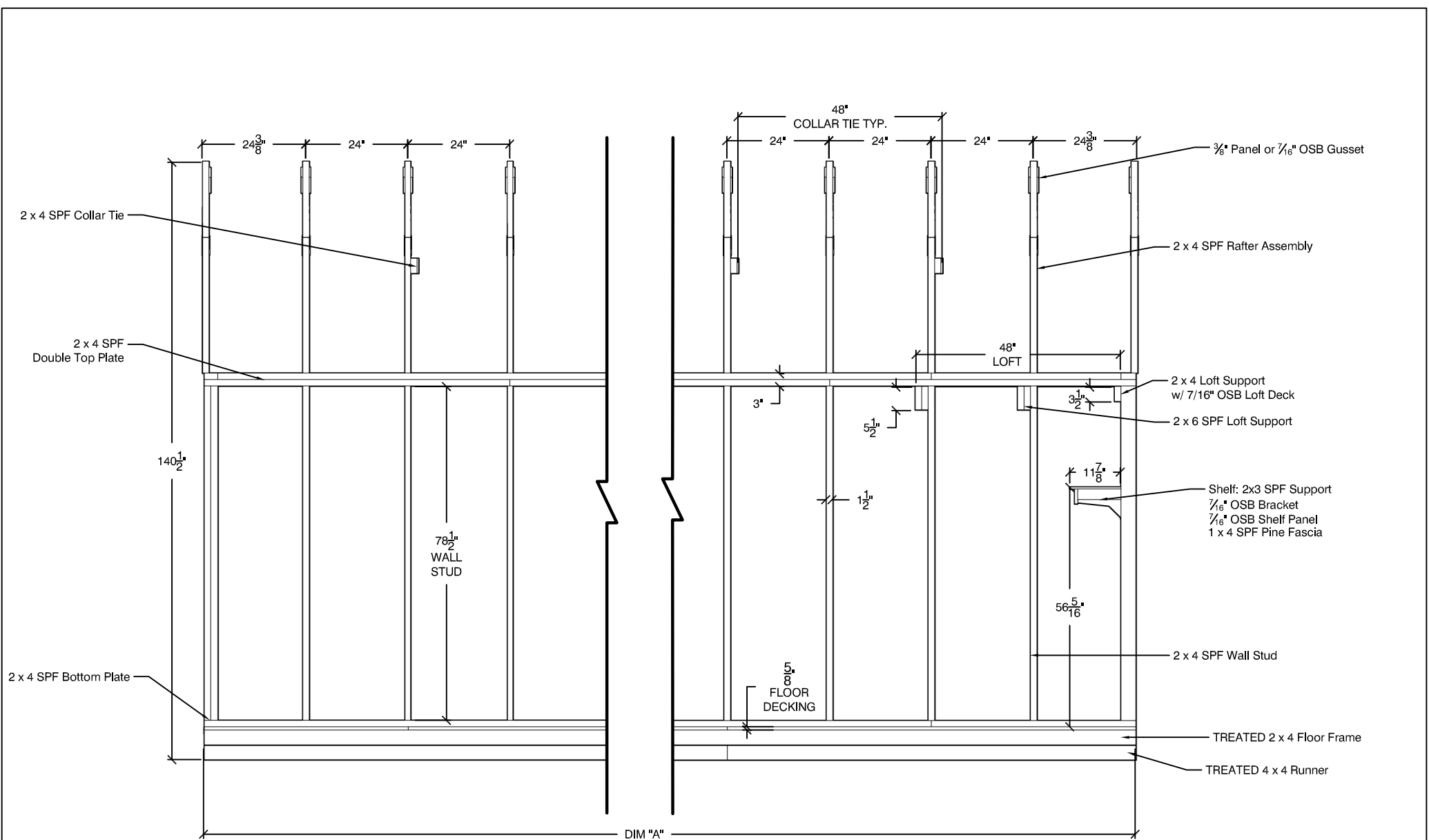
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Gable 12'-0" wide by:		



12' WIDE HAMPTON FRONT WALL FRAME

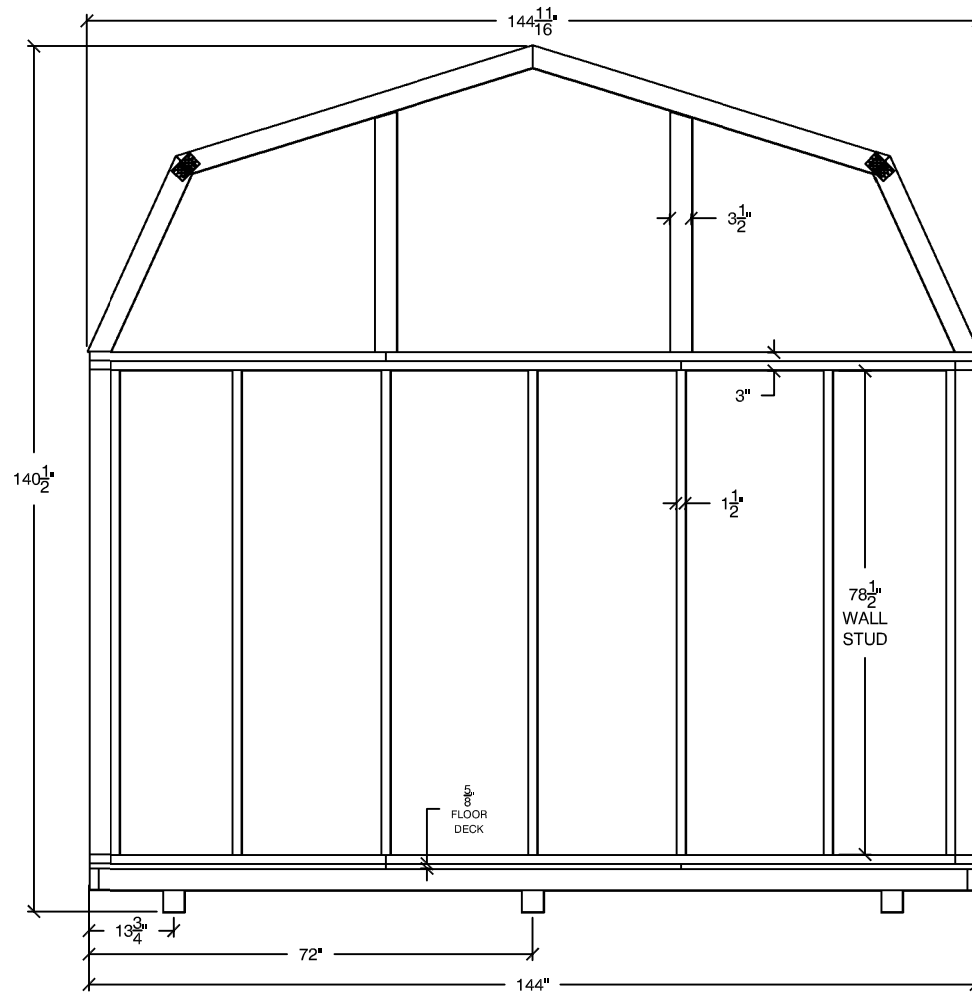
SIZE	ADDRESS	DWG BY.	Last Revision
A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026
SCALE	As Noted	PHONE	734-242-6908



RIGHT WALL FRAMING

SCALE: 3/8" = 1'-0"

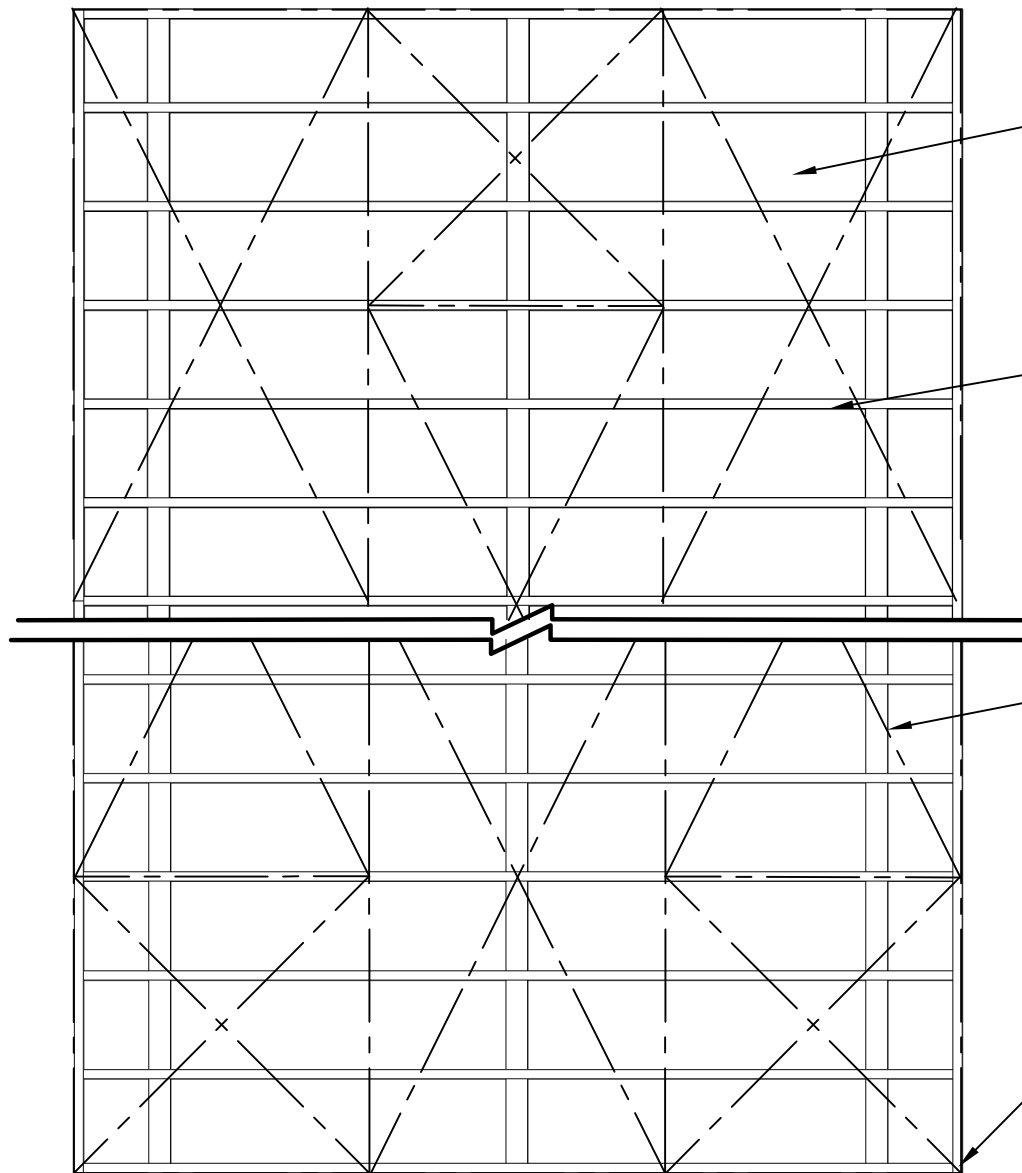
Depth Dim. "A "	16'-0"	20'-0"			12' WIDE HAMPTON RIGHT WALL FRAME SIZE A ADDRESS 1000 Ternes Dr Monroe, MI 48162 DWG BY: Jake Straub LAST REVISION 04/01/2026	
Gable 12'-0" wide by:						
			SCALE	As Noted	PHONE	734-242-6900



REAR WALL FRAMING

SCALE: 3/8" = 1'-0"

Depth Dim. "A "	16'-0"	20'-0"	 12' WIDE HAMPTON REAR WALL FRAME			
Gable 12'-0" wide by:						
SIZE	ADDRESS	DWG BY.	Last Revision			
A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026			
SCALE	As Noted	PHONE	734-242-6900			



5/8" OSB OR CDX TREATED PLYWOOD
 SECURE FLOOR DECKING TO FLOOR JOIST
 W/8d NAILS @ 6" O.C.
 @ EDGES & 12" O.C.
 @ INTERMEDIATE SUPPORTS

2x4 P.T. JOISTS @ 16" O.C. (TYP)...
 SECURE JOIST TO BOX SILL
 W/2-16d NAILS @ EACH JOIST

4X4 P.T. RUNNER BOARD
 SECURE @ JOISTS
 W/4-3" 16D NAILS

2x4 P.T. BOND BOARD (TYP)...
 SECURE BOND @ CORNERS
 W/3-16d NAILS

NOTES

1. WHEN CONCRETE SLAB IS USED, THIS FLOOR FRAMING IS NOT REQUIRED
2. ALL MATERIALS AND LABOR SHALL MEET OR EXCEED APPLICABLE LOCAL CODES.
3. ALL LUMBER TO BE NO. 2 GRADE SPRUCE PINE FIR OR EQUIVALENT.
4. THIS FLOOR FRAMING PLAN IS FOR THE BACKYARD PRODUCTS, LLC. 12' WIDE HAMPTON BUILDING.
5. IN THE EVENT OF A DIMENSIONAL OR MATERIAL DISCREPANCY, NOTIFY BACKYARD PRODUCTS, LLC.

WOODEN FLOOR FRAME

SCALE: 3/8" = 1'-0"

Depth Dim. "A "	16'-0"	20'-0"
Gable 12'-0" wide by:		

BACKYARD
 PRODUCTS, LLC.

HARDY HOME PRODUCTS

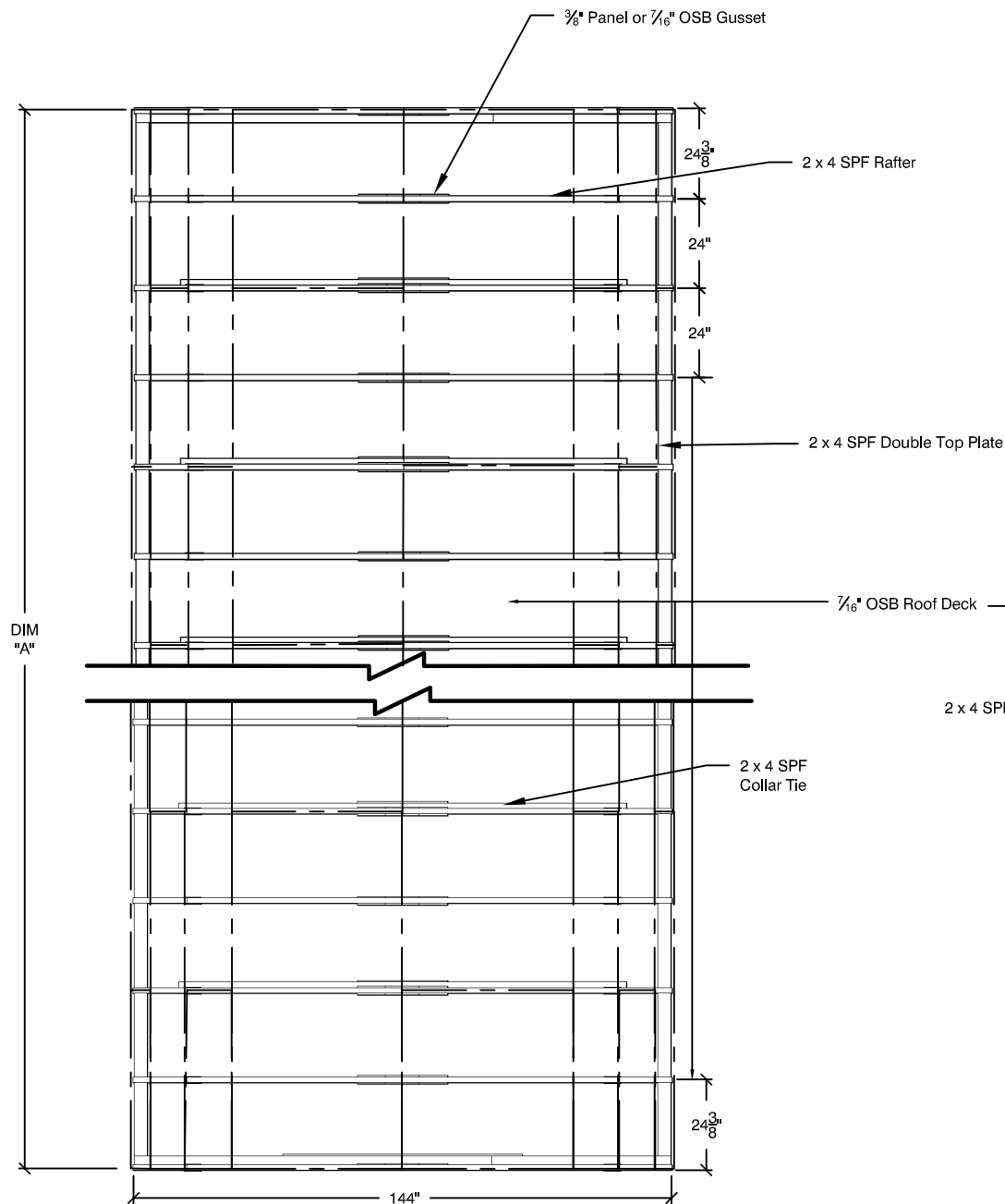
OUT-OF-STATE BACKYARD

PERMANENT STORAGE SOLUTIONS

Pro Systems

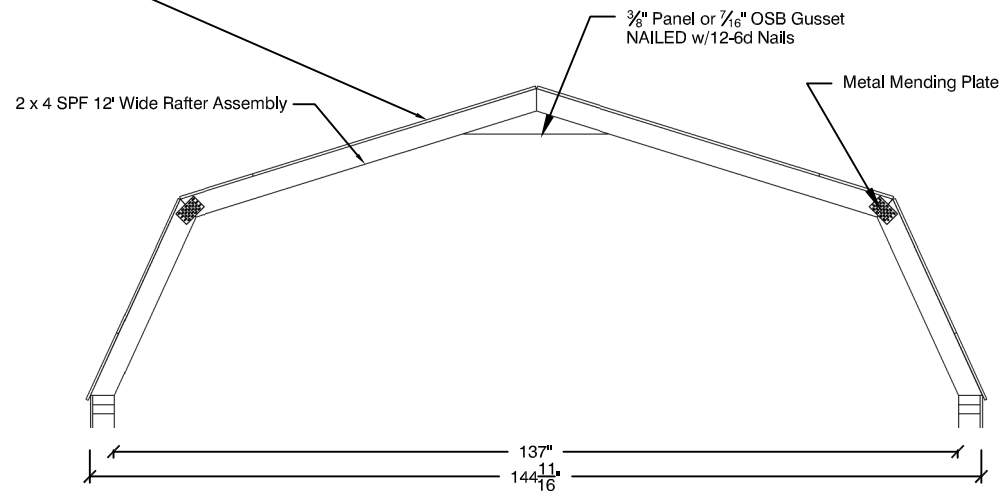
12' WIDE HAMPTON
 WOOD FLOOR LAYOUT

SIZE	ADDRESS	DWG BY.	Last Revision
A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026
SCALE	As Noted	PHONE	734-242-6900



ROOF LAYOUT

SCALE: 3/8" = 1'-0"



RAFTER SECTION

SCALE: 3/8" = 1'-0"

NOTES:

1. Approved Shingles installed per manufacturers instructions with 4 nails per shingle
2. If using drip edge, it must overlap 2" and be nailed every 12" max.

Depth Dim. "A "	16'-0"	20'-0"
Gable 12'-0" wide by:		



12' WIDE HAMPTON ROOF LAYOUT

SIZE	ADDRESS	DWG BY:	Last Revision
A	1000 Ternes Dr Monroe, MI 48162	Jake Straub	04/01/2026
SCALE	As Noted	PHONE	734-242-6900

EXHIBIT 8

Adkins Site Plan Proposal/Variance Narrative

1023 Highland Ave., South St. Paul, MN 55075

Narrative Basics:



- Professional installation and delivery included
- Best-in-class LP® ProStruct® floor system can hold up to 52 lbs/sq. ft.
- Dimensional shingles with lifetime warranty
- Operable windows invite natural light and fresh air in (quantity varies by size)
- Flexible design allows you to place doors and windows on either side
- Extra-wide 64" double doors accommodate ATVs, wheelbarrows, lawnmowers and more
- Heavy-duty face-mounted hinges hold 250 lbs. of load per door
- Large architectural overhangs
- Two deluxe vents
- Faux hay loft door adds country charm
- Shelf and loft keep tools organized and off the floor
- Aluminum diamond-plate threshold protects the entryway

SIZE

20x12

- 1023 Highland Ave. homeowner wishes to build a 12' x 20' shed in his large approx. 1 acre yard.
- 12' x 20' shed (12' tall) is built by Backyard Solutions and is a Gorilla Shed brand shed/materials (purchased from Costco); shed build plans attached.
- Shed to be constructed on a Class 5 rock base constructed with 6" x 6" treated studs surround and levelled to allow for airflow as well as drainage.
- Shed to be staked down on all four corners as required for wind .
- Shed to be constructed 3 feet as per regulations from the property line of neighbor
- Shed to be painted to match the historic home on the address.
- Shed will have roofing materials and floor that meets specifications.
- Shed usage:
 - Storage of yard tools, yard furniture, etc. as well as bikes and kid stuff (owner has 9 children)
 - Shed for private storage use only.
 - Shed appearance is elegant to match home and enhance yard look while also functional.

Conditional Use Permit:

- Owner requests to build a shed slightly larger than the standard 200 sq. foot limit. Owner hopes to build a 12' x 20' shed (240 sq. feet).
- Need is for storage of lawn tools, furniture, and kids' stuff (e.g. bikes, sports stuff, etc.); owner has 9 kids.
- Shed will only be used for private use and storage (i.e. it will not be a dwelling or used in any way for commercial purposes).

Variance Request:

Adkins Site Plan Proposal/Variance Narrative

1023 Highland Ave., South St. Paul, MN 55075

- Special variance request because technically proposed shed will be closer to what city deems to be “front property line” than principal building (i.e. home) on lot.
- The following are reasons why this variance should be considered and granted due to the unique size and nature of the property:



1. The image above from the city is referenced several times in the reasoning below.
2. My actual front yard is to the north on Highland Ave (same as my next door neighbor) if you drove to the house, what is labelled "front yard" is clearly a side yard and it goes dramatically downhill with the proposed shed area in view. The technicality cited ignores what anyone can plainly see with their eyes in person - the front door of the house looking north is the front yard; everything to the east is a side lot. There's also no sidewalk on what is labelled "front yard" - clearly the city itself doesn't consider that area a front

Adkins Site Plan Proposal/Variance Narrative

1023 Highland Ave., South St. Paul, MN 55075

- yard or it would have continued the sidewalk (a contradiction of city zoning and practicality).
3. As noted above, Highland Ave. on that corner turns down at a drastic angle; the yard itself is hardly viewable to anyone driving or walking on that road and as the road continues downhill and the yard itself gets further and further out of view due to the decline of the road.
 4. I do not have any neighbors (nor are there any properties north and east of my house) anywhere near what has been technically labelled "front lawn" (no one is across the street and not until far down the hill on 10th Ave - and their house faces east) - Highland Ave goes down drastically meeting 10th Ave also heading downhill drastically. There's only a boulevard (which, frankly, the city consistently neglects - and I have to mow and maintain at my own time and cost) across the street. There's literally nothing there but a sidewalk down to Concord and across from that empty woods and no houses. I propose the specs and rules factor if there are neighbors.
 5. The rule states "no accessory building shall be located nearer to the front lot line than the principal building" - the side of the shed is no closer to the labelled "front yard" line and road than the northeast corner of the house at the same angle. Again, that's without factoring additional sight-lines and significant elevation differences from the corner of the house and the side of the proposed shed; shed is probably farther with those factors.
 6. If a person was literally standing on Highland Ave. heading down toward 10th Ave., standing on the spot where it is labelled "Front Property Line" in blue on the map - standing directly on the letter "P" looking up from the street at my property, it's highly likely that person wouldn't even be able to see the proposed shed due to the steep incline of the road as well as blocking trees. Again, elevation, sight-lines, and decline of the road as well as no neighbors should be factored.
 7. My neighbor, Tim Strand, fully supports my shed build; I will obtain his written and signed approval and get it to you prior to the city council meeting and hearing; he's the only neighbor in affected and in the required distance of 350 feet. If needed, I could even get him to call you with approval.
 8. It seems to me that these rules are often about what drivers, walkers, and neighbors can view on a homestead property (as well as numbers of buildings on properties); if that's the case, as I suspect, this shed would hardly be viewable from the road. That seems an important factor.

In conclusion, using the typical technical specs on my property seems extremely unfair, especially when important additional factors haven't been considered: the decline of the road, I have no neighbors across the street anywhere, sight-lines, elevation of my yard in relation to the road, no sidewalk on that area labelled "front yard" as it appears the city agrees that a sidewalk should be in front of my house (front yard) and not on the side yard. Again, I'm on the corner lot with no neighbors across the street on a steep bluff that goes down drastically; nothing about my property aligns with typical rules and variances.

Adkins Site Plan Proposal/Variance Narrative

1023 Highland Ave., South St. Paul, MN 55075

Thank you for considering my shed plan proposal.

Sincerely,

Michael Adkins

Owner

1023 Highland Ave.

South St. Paul, MN 55075

Cell: 651-964-5597



PLANNING COMMISSION AGENDA REPORT

DATE:

August 5, 2026

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

4.B.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Conditional Use Permit for Fury Motors Off-Site Employee Parking Lot

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

A motion recommending approval or denial of a conditional use permit for an off-site employee parking lot for Fury Motors.

OVERVIEW

Application

The Applicant is Leonard Investments LLC, the owner of the Fury Motors auto dealership at 1000 Concord Street South. The City's Economic Development Authority (EDA) owns a piece of land across the street from the dealership that currently hosts an off-site employee parking lot for Fury Motors. The Applicant constructed the parking lot on City-owned land as part of a lease agreement with the EDA's predecessor (the Housing and Redevelopment Authority, also known as the HRA) that was approved in 2014. This arrangement was viewed at the time as being "temporary" as the HRA was actively working to acquire adjacent property and facilitate the large-scale redevelopment of the entire block. Consequently, the off-site employee parking lot was approved as "temporary" with an interim use permit that is now expired. The parking lot was allowed to be built with some performance standards temporarily waived (i.e. no landscaping was required). The interim use permit stated that if the parking lot ever becomes permanent, the Applicant needs to upgrade the parking lot to meet performance standards for a permanent parking lot.

The EDA is seeking to sell the parking lot to the Applicant as part of a land swap agreement. The City needs a piece of land on Warburton Street that is owned by the Applicant to build a water treatment plant next to Well #4 to comply with new federal PFAS regulations that came out in 2024. The Applicant has agreed to sell the City the land if the EDA agrees to sell them the parking lot property. Because the parking lot will now be permanent, it needs a conditional use permit, and it will need to be upgraded to comply with the City Code's landscaping requirements for off-site parking lots.

Review Timeline

Complete Application Submittal: July 16, 2026

Planning Commission: August 5, 2026

Tentative City Council Review: August 17, 2026

60-Day Review Deadline: September 14, 2026

Background

The Subject Property consists of eight small tax parcels that are owned by the South St. Paul Economic Development Authority (EDA) and have never been combined into one parcel. The northern part of the subject property was previously a self-service car wash. The southern part of the property was occupied by a commercial building that housed an auctioneer. The Housing and Redevelopment Authority (HRA) acquired both properties and razed the old buildings in 2006. At the time, the HRA's goal was to facilitate the redevelopment of the entire block as one unified project, but it was unclear exactly what shape that project would take. The City and the HRA did not have a clear vision for the future of this part of Concord Street South in 2006.

In 2014, Fury Motors approached the HRA and requested to lease the subject property to construct a "temporary" parking lot that would help them resolve a parking shortage that was affecting their employees and causing friction in the surrounding business area. Fury stated that they had 153 employees, which was a much larger workforce than they had anticipated when they opened the dealership in 1998 with 39 employees. Fury shared that many of their employees had started parking on public streets on the east side of Concord Street and this was conflicting with truck traffic and leading to friction with other businesses. Fury indicated that they understood that the HRA may eventually want to redevelop the subject property, and they would explore other parking solutions if the HRA ultimately decided not to sell them the land to make their employee parking lot permanent. The HRA agreed to Fury's request and the City Council granted an interim use permit that allowed Fury Motors to construct a "temporary" parking lot on the subject property at their own expense.

The South Concord Corridor Small Area Plan was completed and adopted in 2025. The adopted plan calls for this area on the east side of Concord Street to be a commercial-industrial flex district. The plan calls for focusing on beautifying the streetscape with a focus on landscaping improvements and the construction of new buildings that are relatively close to the front property line. An off-site parking lot in the proposed location could be considered consistent with the small area plan as long as the street frontage along Concord Street is well-landscaped.

Site Conditions

The subject property is approximately 1.4 acres in size, but a part of the property is covered by a right-of-way easement and has the Concord Street roadway and public sidewalk built over it. The buildable portion of the property outside the right-of-way easement is approximately 1 acre in size. The subject property sits level with Concord Street and there is a roughly 10-foot dropoff

between it and the adjacent property to the east (the old Thompson Motors property at 316 Malden). The dropoff area is covered by scrub trees and brush and is not developed. The Applicant has not installed any decorative landscaping at the property and the areas along the street frontages are just turfgrass. The grass along the Richmond Street East frontage is not well established and this area has some erosion issues. This is due at least in part to this area being used for snow storage during the winter.

The subject property is developed with a 67-stall surface parking lot which currently includes one ADA stall. There is a black chain link fence that runs the length of the Concord Street frontage. At the southern corner of the parking lot, there is a private concrete sidewalk that connects the parking lot to the public sidewalk along Concord Street. The private sidewalk has settled and shifted over the past 12 years and no longer meets ADA requirements.

Zoning and Comprehensive Plan Guidance

The subject property is zoned GB-General Business and guided “Commercial” in the 2040 Comprehensive Plan.

Most zoning districts, including the GB district, allow accessory off-site parking lots by conditional use permit if the parking lot adheres to the following criteria which are listed out in City Code Section 118-353(q):

- a. Single-family homes, two-family homes, and three-family homes are not eligible for this conditional use permit.

This provision is not relevant.

- b. The independent accessory surface parking lot parcel must be located in a zoning district that allows the principal use.

The off-site parking lot has GB-General Business zoning which is the same as the Fury Motors dealership across the street. Auto dealerships are a conditional use in the GB zoning district.

- c. The independent accessory surface parking lot must be located within 500 feet of the principal use, measured from the nearest property line of each parcel.

The closest part of the off-site parking lot property is less than 150 feet from the Fury Motors dealership property.

- d. The lot is to be used only for the parking of operable passenger motor vehicles of employees, customers or guests of the principal use, who shall be responsible for its maintenance.

A similar condition was placed in the original interim use permit that was granted in 2014. This will also need to be a condition in the conditional use permit that makes the off-site parking lot permanent.

- e. Exterior storage is not allowed.

This will be a condition in the conditional use permit.

- f. Sales of motor vehicles, repair work or servicing of any kind is not allowed.

This was a condition on the original interim use permit that was granted in 2014 and it will also need to be a condition in the conditional use permit.

- g. The independent accessory surface parking lot must comply with all paving, landscaping, and screening requirements that are applicable to accessory parking lots in the underlying zoning district. Additional requirements may be imposed as part of the conditional use permit based on the parking lot proposal and the character of the area.

Per City Code Section 118-353(f), permanent parking lots with more than 6 parking stalls are required to have landscaping or other screening along the front setback line, between the parking area and the front sidewalk or street curb. The Applicant's proposed landscaping plan will bring the property into compliance with this requirement.

- h. Independent accessory surface parking lots are discouraged from being located on a corner lot and some zoning districts may prohibit this placement. If located on a corner lot, the property lines of the independent accessory parking lot that adjoin the street must be buffered by a low masonry wall, decorative fence, extensive landscaping, or a combination of those treatments.

The existing off-site parking lot is located on a corner lot. The Applicant currently has a black chain link fence up along the edge of the parking lot rather than an ornamental fence. There is currently no landscaping along the parking lot.

The Applicant has expressed a desire to keep the existing fence rather than replace it with an ornamental fence. The Applicant has worked with City Staff to design a landscape plan that should satisfy the requirement that this type of corner lot parking lot property be “well landscaped.”

- i. The acreage of the independent accessory surface parking lot parcel and the principal use parcel shall both be considered for the purposes of calculating compliance with minimum floor area ratio requirements and any other similar requirements that may exist in an underlying zoning district.

The GB-General Business district does not currently have a minimum floor area ratio requirement.

- j. The independent accessory surface parking lot parcel and the principal use parcel must be in common ownership and shall be tied together by deed restriction, or a comparable legal instrument and the parking lot parcel may not be sold separately without the city's written consent unless the parking lot infrastructure is removed before the sale.

The recorded City Council resolution approving the conditional use permit will reference this requirement and the EDA will place a deed restriction on the property as part of the land sale.

- k. In lieu of a conditional use permit, the property owner may combine the

principal use parcel and the independent accessory surface parking lot parcel through a lot combination or replat if the lots are adjacent to or abutting each other, are in the same zoning district, and are not divided by a road or alley.

This provision is not relevant.

Relevant City Code

The following code sections are relevant to this review:

- Section 118-40 of the City Code governs Conditional Use Permits.
- Section 118-128 of the City Code governs the GB-General Business District.
- Section 118-243 of the City Code governs landscaping.
- Sections 118-351 to 118-355 of the City Code regulate off-street parking and loading.

Landscaping

The Applicant constructed the “temporary” parking lot in 2014 with no landscaping whatsoever aside from installing turfgrass along the street frontages. The Applicant agreed in 2014 that code-conforming landscaping would be added in the future if the parking lot ever became permanent. The South Concord Corridor Small Area Plan that was adopted in 2025 calls for beautifying the corridor with well-landscaped street frontages. There have been several development approvals granted along the South Concord Corridor in 2026 and the City has added landscaping requirements to all of these projects in accordance with the small area plan and related zoning requirements.

In support of the EDA’s land sale agreement with the Applicant, Senior Planner Monika Miller has prepared a code-compliant landscaping plan for the Applicant’s off-site parking lot. The landscaping is fully consistent with the goals of the small area plan and should fully satisfy City Code Section 118-353(q)h which requires robust landscaping along the street frontage when an off-site parking lot occupies a corner lot. The plan includes 11 trees and 48 decorative plantings between the trees. The Applicant has agreed to install the landscaping that is set forth in the plan. City Code Section 118-243 requires that the Applicant escrow \$7,500 to guarantee the landscaping survives its first year. The money will be refunded in full after the Applicant replaces any plant materials that died during that first year.

The City Engineer has noted that the turf on the south side of the parking lot has been highly damaged (this is where snow is piled during the winter) and there are erosion issues. She is recommending a condition of approval that requires turf to be reestablished in this area as part of the Applicant’s landscape improvements.

Curb Stops

In 2014, the Applicant was allowed to construct the “temporary” parking lot without integral concrete curb and gutter. In lieu of curb and gutter, the Applicant was required to install curb stops at the end of each parking space. The City Engineer has noted that it would be disruptive of the natural environment and also wasteful to tear up the existing parking lot, which is still in good condition, to replace it with a new parking lot that has integral concrete curb and gutter. The City Code gives the City Engineer the authority to waive the curb and gutter requirement and authorize a curb stop plan in its place. The City Engineer has agreed to waive the curb and gutter requirement for the Applicant’s “permanent” parking lot if the existing curb stops are maintained.

ADA Accessible Parking Stalls

The Americans with Disabilities Act (ADA) requires businesses to provide accessible stalls. The number of required stalls is based on the total number of stalls that the business is providing for employees, customers, and guests. If a dealership has multiple parking lots that are available to employees or guests, the ADA stall requirement is based on the total parking count. Pavement areas that are used exclusively for the storage and display of for-sale vehicles and the storage of cars that are awaiting service do not count towards the total stall count for the purpose of calculating the required number of ADA stalls.

The Applicant currently has most of their required ADA stalls located in the dealership’s main parking lot and has just one ADA stall located in the off-site parking lot. If the Applicant continues to maintain an ADA stall in the off-site parking lot, they will need to make some small improvements to the private sidewalk that serves the parking lot to comply with current ADA requirements. Alternatively, the Applicant could simply provide all required ADA stalls in the main parking lot which is objectively a “better” parking lot with a shorter travel distance for people with disabilities who are trying to reach the dealership. City Staff will work with the Applicant to implement whichever ADA parking option he selects.

Lot Combination Required

Parking lots in the GB district are generally required to have a 5-foot setback from side property lines. The “temporary” parking lot that was built in 2014 does not meet this requirement because it consists of 8 separate tax parcels, so the parking lot is punctuated by many property lines. Now that the parking lot is being made permanent, the setback nonconformity will need to be addressed. The setback issue can be easily fixed by combining the parcels via a tax parcel consolidation through the Dakota County Tax Assessor which simply requires the Applicant to sign and submit a one-page form. Dakota County will combine the lots free of charge later this year after second-half taxes have been paid.

Participation in Future Replat

The subject property's block is currently very messy from a title standpoint. Many of the parcels are partially covered by right-of-way easements in favor of either the City or Dakota County (Concord Street is a county road). The EDA is interested in cleaning up the title situation on this block with a replat in the future, likely as part of their efforts to redevelop the property to the east. If the EDA initiates a replat, the Applicant should be required to participate in the project to clean up the title of the subject property.

Use of the Off-Site Parking Lot

The existing interim use permit contains a condition that states:

- ***Parking for Employee Parking Only.*** The proposed parking lot shall be limited to Fury employee parking only. No overnight parking, customer parking, parking for vehicles for sale, being stocked or prepped for sale, or for awaiting automotive repair shall be allowed."

Staff is recommending a similar condition for the conditional use permit. The proposed condition would read:

- ***Use of Off-Site Parking Lot.*** The off-site parking lot may be used for the parking of licensed and operable passenger motor vehicles of employees, customers, and guests of the Fury Motors dealership. No overnight parking between 2 AM and 6 AM is allowed. The parking lot may not be used for the storage or display of vehicles that are for sale or being prepared for sale. The parking lot may not be used for the storage or parking of commercial vehicles or fleet vehicles. The parking lot may not be used for the storage of vehicles awaiting repair. No vehicle repair work or vehicle servicing may take place in the parking lot.

The prohibition on overnight parking is the most important part of this condition of approval, and it is the primary way that City Staff will enforce the condition if there are violations. If cars are being stored in the parking lot overnight, that means that they are not employee vehicles or customer vehicles.

Surrounding Land Uses

Direction	Existing Use	Existing Zoning	Comp Plan Guidance
<i>West</i> <i>(across Concord)</i>	Gas Station and Convenience Store	GB-General Business	Commercial
<i>North</i> <i>(across Malden)</i>	Contractor business	I-Industrial	Commercial
<i>East</i>	Vacant EDA-owned Property	I-Industrial	Commercial
<i>South</i> <i>(Across Richmond)</i>	Contractor business	GB-General Business	Commercial

CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permits should be reviewed through the lens of the criteria outlined in the City Code:

- (1) That the conditional use, with such conditions as the commission shall determine and attach, conforms to the general purpose and intent of this chapter.
- (2) If the application is based on the conditional use provision in this chapter that the issuance conforms to the general characteristics of the district of which it will become a part.
- (3) That the conditional use will not impede the normal and orderly development and improvement of property in the neighborhood for uses permitted in the district or districts affected.
- (4) That adequate utilities, access roads, streets, drainage, and other necessary facilities have been or will be provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress in such a manner as to minimize traffic congestion and hazards in the public streets.
- (6) *In Business districts.* Certain uses are considered, as a rule, unsuitable in commercial areas because of inherent characteristics (e.g., traffic hazards, noise, light glare), proximity to residential areas, the fact that they tend not to serve nearby residential areas, or may adversely affect nearby permitted business uses.

DISCUSSION

The City can attach reasonable case by case conditions to a Conditional Use Permit to regulate the use and ensure harmony with surrounding land uses. Conditional Use Permits run with the land forever and transfer if the property changes hands. A conditional use permit typically can only be terminated if a condition is violated, and the City Council votes to revoke the conditional use permit. City Staff can also enforce the conditions of approval by issuing administrative citations.

The EDA has already made its decision to sell the Applicant the subject property, contingent upon zoning approvals being granted. City Staff supports granting Fury Motors a conditional use permit to formalize and legalize their continued use of the existing off-site parking lot. Staff supports allowing the Applicant to keep the off-site parking lot with its existing design and configuration if appropriate landscaping is installed and ADA requirements are met.

The rules for how an off-site parking lot needs to operate are clearly laid out in Section 118-353(q) of the City Code. The conditional use permit will have “conditions of approval” that align with that City Code section. Staff supports giving the Applicant slightly more flexibility than they had in 2014. The original interim use permit stated that Fury Motors could only use their off-site parking lot for employee parking and were prohibited from allowing customers to park

there. Staff would support giving Fury Motors the flexibility to use the parking lot for customer parking during daytime hours which is something that the City Code would normally allow.

STAFF RECOMMENDATION

Staff recommends approval of the conditional use permit with the following conditions:

1. **Approved Plans.** The conditions of this approval are based on the following plans:

a. Site Plan (Phillips Architects and Contractors, LTD.)	9/04/2014
b. Certificate of Survey (Harry S. Johnson Co Land Surveyors)	8/11/2014
c. Landscaping Plan (Senior Planner Monika Miller)	7/15/2026
d. Narrative (Thomas Leonard)	7/6/2026

2. **Status of Interim Use Permit.** The Applicant's off-site parking lot was initially constructed under the terms of an interim use permit that was contained in Resolution #2014-161. The interim use permit has expired, and the conditions of approval contained within that resolution are no longer applicable. Therefore, the Interim Use Permit is terminated, null and void and is no longer in force or effect.
3. **Use of Off-Site Parking Lot.** The off-site parking lot may be used for the parking of licensed and operable passenger motor vehicles of employees, customers, and guests of the Fury Motors dealership. No overnight parking between 2 AM and 6 AM is allowed. The parking lot may not be used for the storage or display of vehicles that are for sale or being prepared for sale. The parking lot may not be used for the storage or parking of commercial vehicles or fleet vehicles. The parking lot may not be used for the storage of vehicles awaiting repair. No vehicle repair work or vehicle servicing may take place in the parking lot.
4. **No Exterior Storage.** There shall be no exterior storage of any kind in the off-site parking lot.
5. **Common Ownership Required.** Unless the City approves an amendment to this conditional use permit, the off-site parking lot must be held in common ownership with the Fury Motors dealership that is located across the street at 1000 Concord Street South. The off-site parking lot parcel(s) may not be sold separately from the dealership property without the City's written consent unless the parking lot infrastructure is removed prior to the sale. A deed restriction shall be placed in the deed to this effect.

6. **Lot Combination Required.** The Applicant shall be required to combine the eight parcels that comprise their off-site parking lot using Dakota County's lot combination process. The lot combination form must be submitted to Dakota County by no later than November 1, 2026. The Zoning Administrator may administratively grant additional time to address this condition if title complications prevent the lot combination from taking place by the deadline. The Zoning Administrator may waive or partially waive this condition if it turns out that some or all the parcels cannot be combined without replatting the subject property.
7. **Participation in Future Replat.** If the City or the EDA moves forward with replatting the block where the off-site parking lot sits, the Applicant shall be required to participate in the replat. Unless deemed unnecessary by the City Council, the Applicant shall dedicate as platted right-of-way any land that is currently contained within right-of-way easements.
8. **Lighting.** If the Applicant installs parking lot lighting in the future, all lighting shall be compliant with City Code Section 118-242. Light sources shall be hooded or controlled so as not to light adjacent property.
9. **Fencing.** If the Applicant chooses to continue to have a fence along the Concord Street public sidewalk, that fence must be a black transparent chain link fence, a decorative transparent fence, or a decorative masonry wall. A transparent fence cannot be taller than 4 feet. A masonry wall cannot be taller than 3.5 feet.
10. **ADA Accessible Parking Stall Count.** The dealership's main property and the off-site parking lot are considered holistically when determining how many ADA accessible parking stalls need to be provided. The Applicant must comply with the requirement that a specific number of ADA stalls be provided at the business based on the total number of stalls that are provided for customer plus employee parking at both parking lots. Pavement areas that are not available for employees or the public which are used solely for the storage and display of for-sale vehicles or the storage of vehicles waiting for repair are not counted in ADA calculations.
11. **Sidewalk Upgrades if ADA Stall Remains in Off-Site Parking Lot.** The Applicant may provide all their required ADA stalls in their main lot next to the dealership. If the Applicant chooses to continue to provide an ADA accessible stall in the off-site parking

lot, the private sidewalk that connects the off-site parking lot to the public sidewalk along Concord Street must be upgraded to meet current ADA requirements. The walk must be at least 4 feet wide with a maximum cross slope of 2%. It must have a landing area that is at least 4' x 4' and no more than 2% slope in any direction. This condition of approval must be satisfied by June 1, 2027.

12. **Parking Lot Striping.** The off-site parking lot shall be striped to delineate parking stalls. Passable access aisles which can be used for emergency access shall be maintained and the Applicant shall maintain the correct parking space dimensions. The existing striping is badly faded, and the Applicant shall restripe the parking lot by no later than June 1, 2027.
13. **Curb Stops.** The design of the off-site parking lot in 2014 was approved with curb stops instead of integral curbing. The Applicant shall maintain the curb stops in good repair in accordance with the approved site plan.
14. **Installation and Maintenance of Required Landscaping.** The Applicant shall be responsible for installing and maintaining all landscape materials shown on the approved landscape plan prepared by Senior Planner Monika Miller which is dated July 15, 2026. All landscaping shown on the plan must be installed by June 1, 2027.
15. **Landscape Guarantee.** The Applicant shall establish a landscape escrow in the amount of \$7,500 or 125% of the estimated cost of implementing the approved landscaping plan, whichever is less. The security shall be maintained for at least one year after the date that the landscape materials have been planted. After one year has passed, the Applicant must replace any required landscape materials that are not alive or are in an unhealthy state. Once the City has confirmed that the replacements have been installed, the entire security may be released. The landscape escrow must be submitted to the Zoning Administrator by November 1, 2026.
16. **Turf Reestablishment.** The Applicant shall reestablish the turf south of the parking lot. There are currently a lot of exposed soils and some erosion in this area. This condition of approval must be satisfied by June 1, 2027.
17. **Termination of the Conditional Use Permit.** The violation of any condition of approval in the conditional use permit may terminate the conditional use permit(s), following a

hearing by the City Council.

Action Requested

The Planning Commission has the following actions available on the proposed application:

1. Approval. If the Planning Commission wishes to recommend approval of the conditional use permit, the following action should be taken:
 - A. Motion to recommend approval of a conditional use permit for Fury Motors' off-site parking lot.
2. Denial. If the Planning Commission wishes to recommend denial of the conditional use permit, the following action should be taken:
 - B. Motion to recommend denial of a conditional use permit for Fury Motors' off-site parking lot.

If the Planning Commission wishes to recommend denial, they will need to adopt specific findings which indicate how the parking lot proposal fails to meet the City Code's criteria for conditional use permits or the required performance standards for an off-site parking lot.

LINKS

[EDA Staff Memo for Sale of Parking Lot Property to Leonard Investments LLC](#)
[Planning Commission Staff Memo for 2014 Interim Use Permit](#)
[South Concord Corridor Small Area Plan](#)

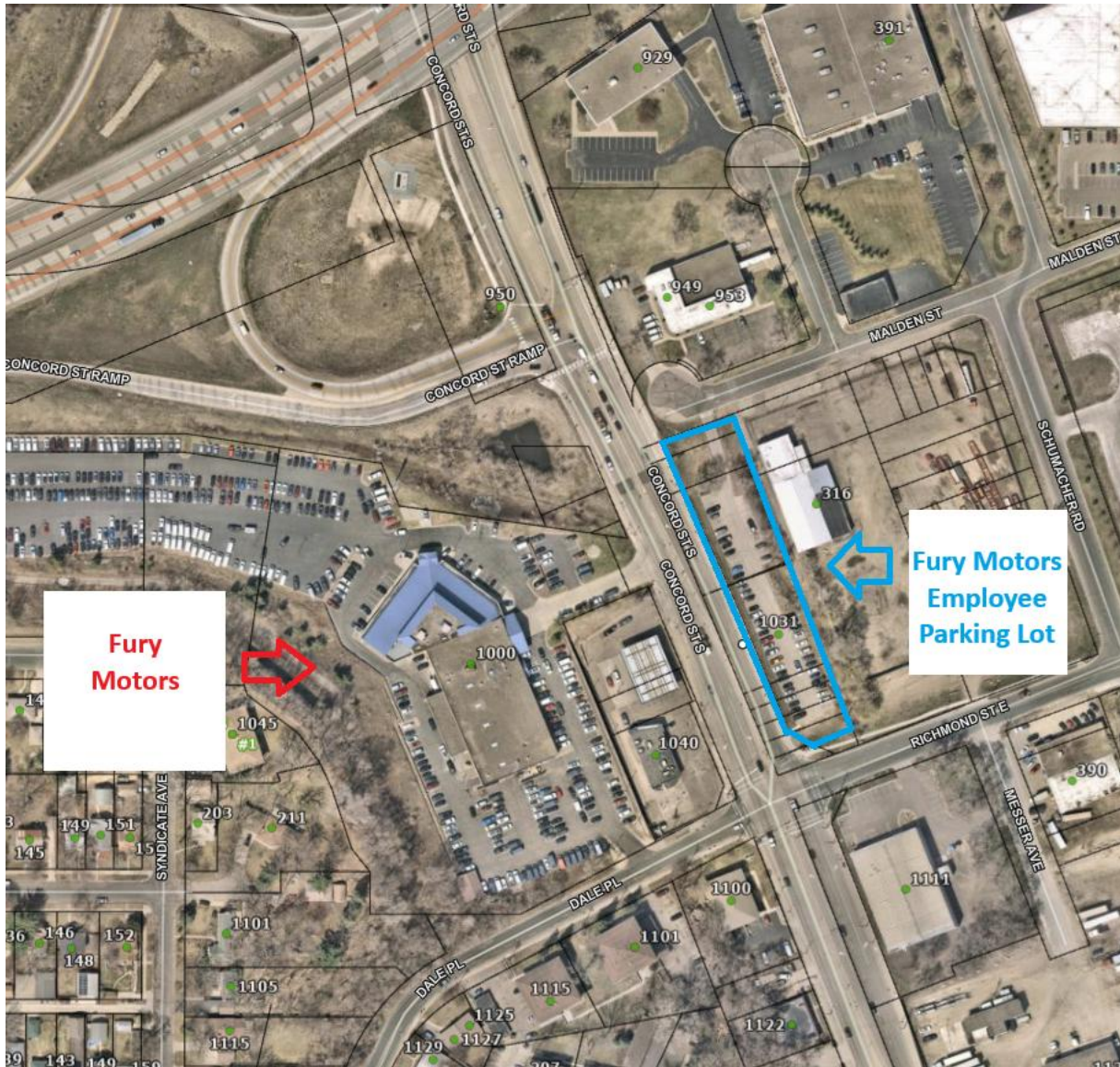
SOURCE OF FUNDS

NA

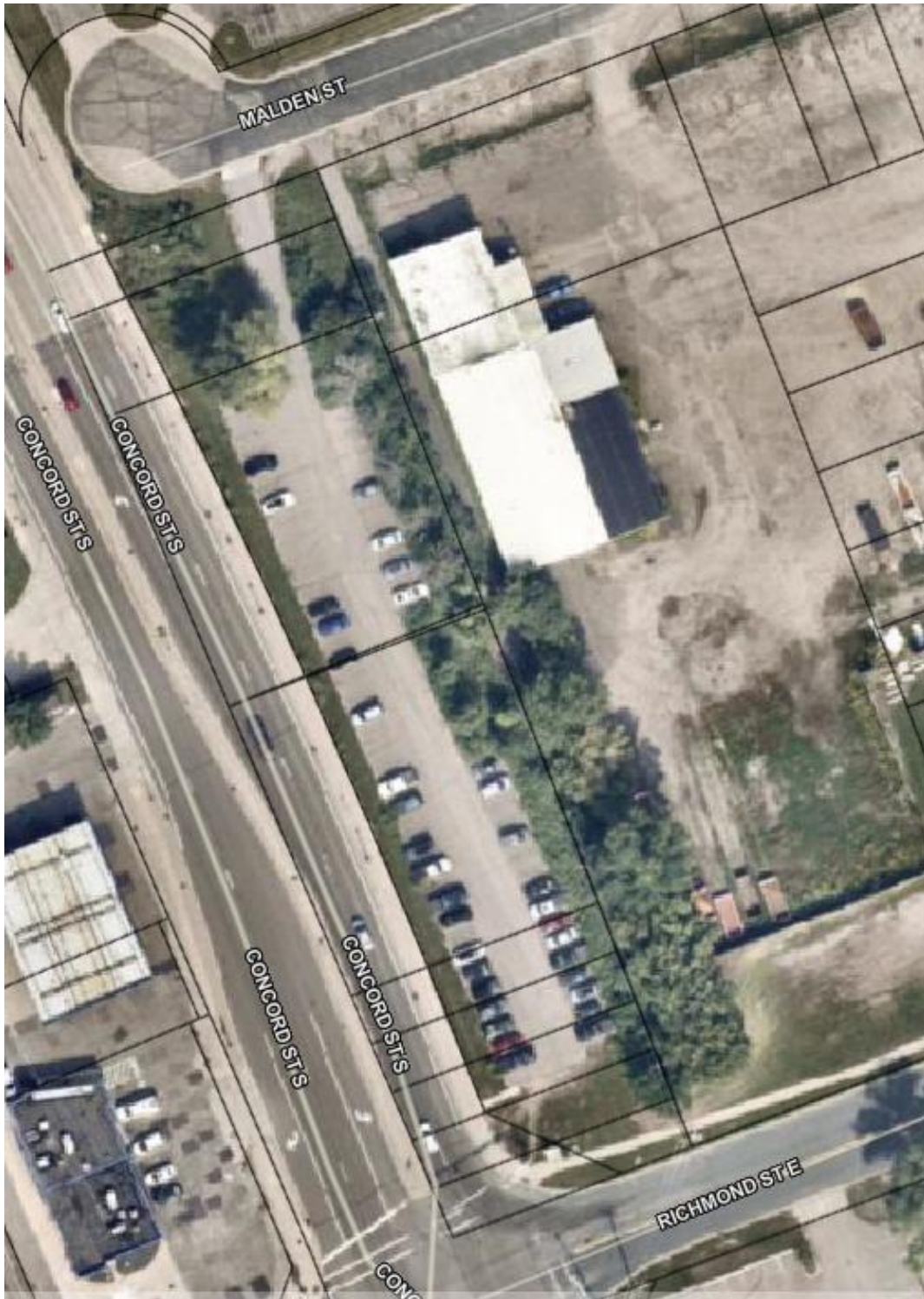
ATTACHMENTS

1. Site Location Map
2. Aerial Photograph
3. Google Streetview Photographs
4. Approved Site Plan from 2014
5. ALTA Survey
6. Parking Stall Count Exhibit
7. Off-Site Parking Lot Landscaping Plan
8. Applicant's Narrative

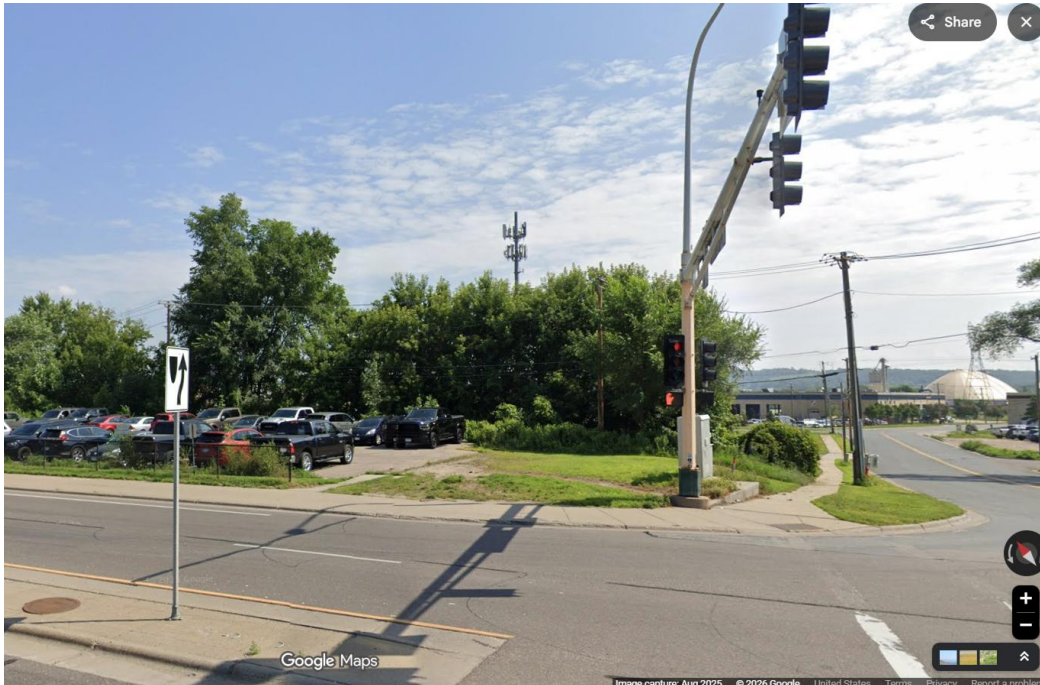
**ATTACHMENT 1
SITE LOCATION MAP**



ATTACHMENT 1
AERIAL PHOTOGRAPH



ATTACHMENT 3
GOOGLE STREETVIEW PHOTOGRAPHS



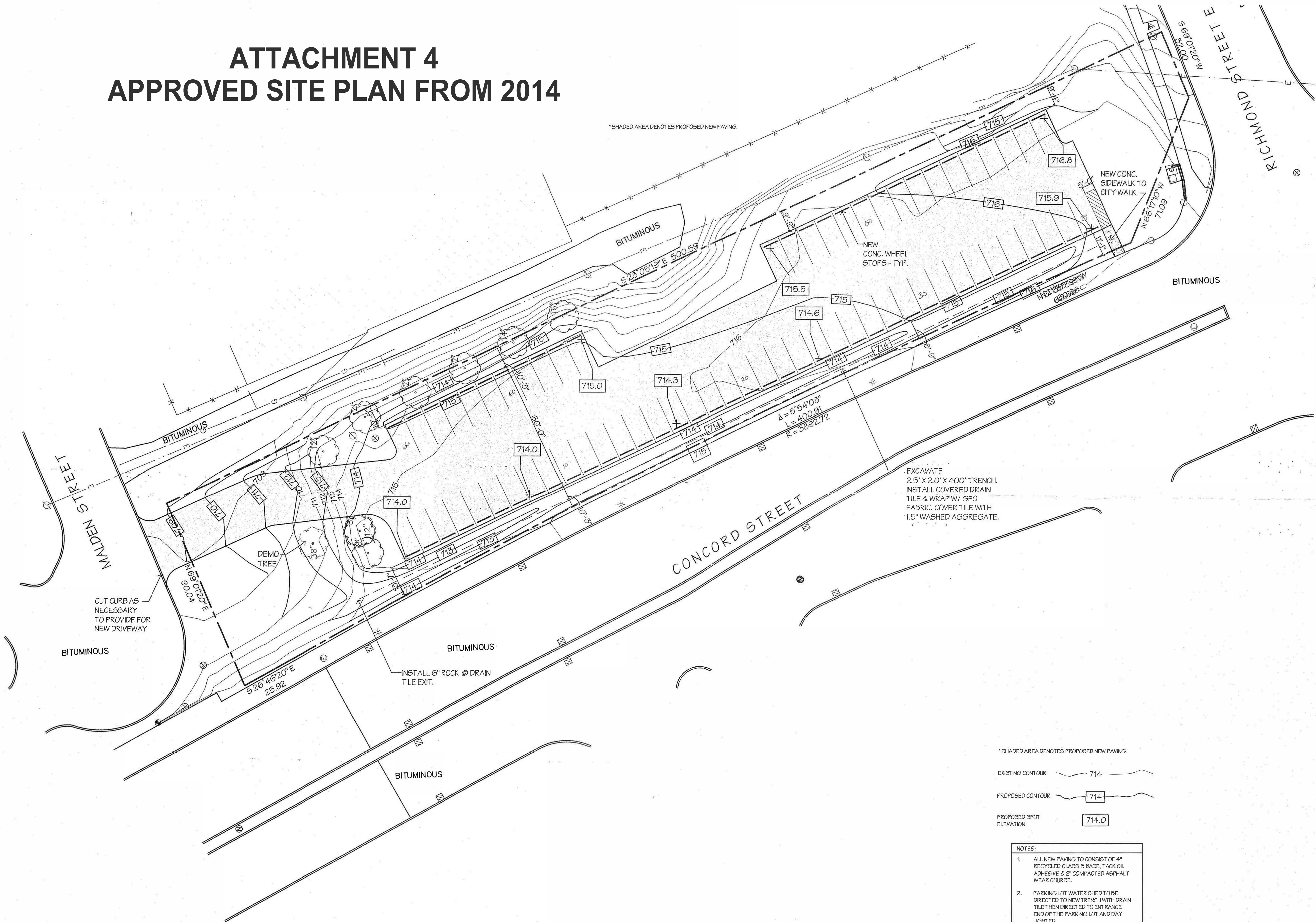
View of Off-Site Parking Lot at Concord/Richmond Intersection (2025 Photograph)



Looking North Towards Interstate 494 (2022 Photograph)

ATTACHMENT 4
APPROVED SITE PLAN FROM 2014

INTERSTATE 494



1 SITE PLAN
1" = 20'-0"



* SHADED AREA DENOTES PROPOSED NEW PAVING.

EXISTING CONTOUR 714
PROPOSED CONTOUR 714
PROPOSED SPOT ELEVATION 714.0

- NOTES:
- ALL NEW PAVING TO CONSIST OF 4" RECYCLED CLASS 5 BASE, TACK OIL ADHESIVE & 2" COMPACTED ASPHALT WEAR COURSE.
 - PARKING LOT WATER SHED TO BE DIRECTED TO NEW TRENCH WITH DRAIN TILE THEN DIRECTED TO ENTRANCE END OF THE PARKING LOT AND DAY LIGHTED.
 - SEED ALL DISTURBED AREAS THAT DO NOT RECEIVE PAVING.

PLAN CREATED FROM INFORMATION PROVIDED BY A TOPOGRAPHICAL SURVEY BY HARRY S. JOHNSON SURVEYORS

2014 PROPOSED NEW PARKING LOT
FURY MOTORS
1001 SOUTH CONCORD STREET
SOUTH SAINT PAUL, MINNESOTA

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PHILLIPS ARCHITECTS & CONTRACTORS, LTD.
227 Colfax Avenue North,
Suite 100
Minneapolis, MN 55405
Ph: (612) 377-3333 Fax: (612) 377-7337
www.phillipsarchitects.com

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
David A. Phillips

DATE 9/04/2014 LICENSE # 17387

ISSUE/REVISION:
7/29/2014 FOR ESTIMATES
9/04/2014 ISSUED FOR PERMIT

DRAWN BY: SCB
CHECKED BY: DAF
PROJECT NO.: 12306

SITE PLAN

A1.0
Page 52 of 58

HORIZONTAL DATUM: NAD-83 (1986)
DAKOTA COUNTY

BENCH MARK

VERTICAL DATUM: NAVD88

BENCHMARK 1: MNDOT GEODETIC
MONUMENT 1985 AU 1 (SEE SURVEY)

BM1 = 716.18

BENCHMARKS 2 & 3: TOP NUT OF
HYDRANTS (SEE SURVEY)

BM2 = 708.68

BM3 = 708.39

ATTACHMENT 5
ALTA SURVEY



PROPERTY DESCRIPTION

(Per First American Title Insurance Company Commitment No. 22-060235-XC, Revision No. 1 (dated November 28, 2022) with a commitment date of November 16, 2022)

Lots Four (4), Five (5), Eight (8), Nine (9), Ten (10) and Eleven (11) in Block Eleven (11) in Spring Park, Dakota Co., Minn., according to the plat thereof on file and of record in the office of the County Recorder in and for Dakota County, Minnesota.

Torrens Property.
Being registered as is evidenced by Certificate of Title No. 104815.

And

Lots 1, 2, 3, 6, 7, 12, 13, 14, 15 and 16, Block 11, Spring Park Addition, Dakota County, Minnesota.

And

Lots 1-5 and Lots 26-35, Block 18, Spring Park Addition, Dakota County, Minnesota.

Abstract Property.

Surveyor's Note: See General Note Four (GN4) below concerning the vacated alleys and vacated street as shown on the survey.

SCHEDULE B - SECTION 2 EXCEPTIONS

Items 1, 2, 4, 5, 8, 9, 15, 16, 19 and 20 are not survey related, and therefore, are not shown on this survey.

Items 10, 11 are survey related but do not appear to fall within or adjacent to the subject properties boundary. Said items are not shown on the survey.

- ③ Easements filed as Document No. 2884401.
(Surveyor's Note: The permanent easement appears to fall within the subject properties boundary and is shown. The temporary easements as described in the above document have expired and therefore are not shown on the survey.)
- ⑥ Vacation filed as Document No. 119608 (Torrens) and Book 38 of Miscellaneous Records at page 143 (Abstract) (Alley in Block 11)
(Surveyor's Note: This document appears to vacate the alley in Block 11. Said vacated alley is shown on the survey.)
- ⑦ Vacation filed as Document No. 119609.
(Surveyor's Note: This document appears to vacate the area of Messer Avenue that falls within the subject properties boundary. Said vacated avenue is shown on the survey.)
- ⑫ Vacation filed in Book 68 or Miscellaneous Records at page 474 (Abstract).
(Surveyor's Note: This document appears to vacate the alley in Block 18. Said vacated alley is shown on the survey.)
- ⑬ Vacation filed in Book 38 or Miscellaneous Records at page 321 (Abstract).
(Surveyor's Note: This document appears to vacate the area of Messer Avenue that falls within the subject properties boundary. Said vacated avenue is shown on the survey.)
- ⑭ Affidavit of facts, showing an Easement filed as Document No. 2371696.
(Surveyor's Note: This document appears to describe a lease agreement concerning the subject property. No easement described in said document appears to fall within or adjacent to the subject properties boundary, and therefore, nothing is shown on the survey.)
- ⑰ Findings and Order filed as Document No. 2488562.
(Surveyor's Note: This document appears to condemn certain properties and transfer title to Dakota County. The specific areas included in this condemnation action are not described within said document, and therefore, nothing is shown on the survey.)
- ⑱ Resolution filed as Document No. 2601505.
(Surveyor's Note: This document is a conditional use permit allowing the installation of antennas and ground equipment over Lots 12-16, Block 11 of the subject property. The existing conditions and surface features are shown on the survey.)

TABLE A ITEMS

Table A Items 1, 5, 8, 11(a) and 13 are as shown on survey.

2. Property address: 316 Malden Street, South St. Paul, MN 55075
3. Said described property is located within "Zone X" and "Zone X Shaded", as determined by the FEMA Flood Insurance Rate Map 27037C0107E with an effective date of December 2, 2011. (Any locations shown are subject to map scale uncertainty.)
4. The area of the property described above is 167,245 square feet (3.84 acres), as surveyed. Said area includes the vacated street and alleys as shown on the survey.
9. The total number of visible striped parking spaces as presently marked on the subject property is 0 regular spaces and 0 handicap spaces.
18. There does not appear to be any offsite easements or servitudes benefitting the surveyed property according to the Record Documents provided to the surveyor. All easements within the above commitment that fall within or adjacent to the subject properties boundary are shown.

GENERAL NOTES

- (GN1) Location, sizes and types of underground utilities shown are a combination of observed evidence and plan information, together with field markings by those utility locators that responded to Gopher State One Call Ticket No. 230170069. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. WSB & Associates makes no guarantee that the utilities shown comprise all of the utilities in the area. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.
- (GN2) The plat of SPRING PARK was recorded on February 8th, 1887.
- (GN3) Easements shown are as identified in First American Title Insurance Company Commitment No. 22-060235-XC, Revision No. 1 (dated November 28, 2022) with a commitment date of November 16, 2022. No other search of the public records for easements or encumbrances was made by the undersigned.
- (GN4) The above descriptions per the referenced commitment do not appear to include the vacated alleys or vacated Messer Avenue. The Surveyor has found specific descriptions contained within the Schedule B-Section 2 Exception documents that contain language including said vacated alley and street areas. These areas have been included within the overall boundary shown on the survey in order to graphically represent a single contiguous boundary, and do not imply ownership or rights of any kind.
- (GN5) Due to snow and ice conditions, certain existing ground features may not have been visible at the time of field survey. WSB has tried to supplement any potential missing data with as-built and plan data. WSB is not responsible for any missing features or structures due to said weather and site conditions.

SURVEYOR'S CERTIFICATION

To City of South St. Paul; and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 8, 9, 11(a), 13 and 18 of Table A thereof. The field work was completed on February 7, 2023.

Dated this ____ day of _____, 2023.

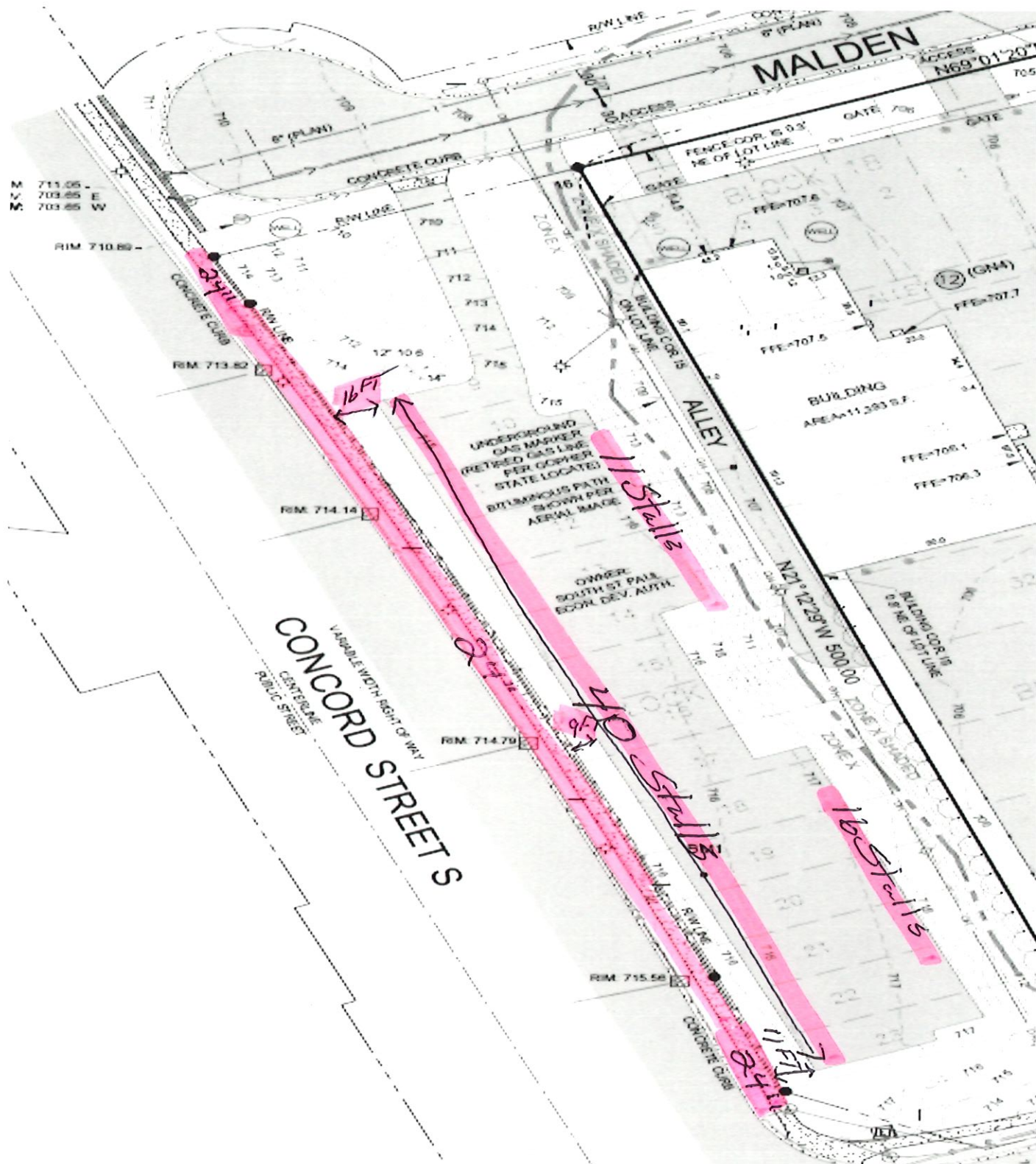
Jeffrey J. Rolfsen, PS, Minnesota License No. 49003

Client:	CITY OF SOUTH ST. PAUL
Job No.	021937
Surveyed By:	JJR
Drawn By:	JS, AS
Checked By:	JJR
Scale:	1" = 40'
Date:	02/15/2023
CAD No.	021937 V-ALTA

wsb
3701 40th Avenue NW
Rochester, MN 55901
507-218-3745
www.wsbeng.com

ALTA/NSPS LAND TITLE SURVEY
PART OF BLOCKS 11 & 18
SPRING PARK
DAKOTA COUNTY, MINNESOTA

ATTACHMENT 6
PARKING STALL COUNT EXHIBIT



ATTACHMENT 7
OFF-SITE PARKING LOT LANDSCAPING PLAN



Trees (11 Total- Red Circles)

35-45 feet of spacing between trees

(3) SWO- Swamp White Oak

(3) DEDE-Dutch Elm Disease
Resistant Elm

(3) GO-Gingko (male only)

(2) JTL- Japanese Tree Lilac

Grasses/Forbs (Blue Circles)

Must be an alternating mix of 4-6
plants between each tree

- Big Bluestem
- Karl Foerster Reed Grass
- Autumn Joy Sedum
- Purple Coneflower

Prepared By:
Senior Planner
Monika Miller
July 15, 2026

ATTACHMENT 8 APPLICANT'S NARRATIVE

July 6, 2026

Michael Healy
Planning Manager
City of South St Paul

Michael, this narrative is to use with our CUP application for the parking area at 1031 S Concord St, South St Paul. The site will be used primarily as employee parking supporting our business at Fury Motors. Please reach out with any questions. Thank you.

A handwritten signature in black ink, appearing to read "Tom Leonard", with a stylized flourish at the end.

Thomas Leonard
President
Fury Motors



PLANNING COMMISSION AGENDA REPORT

DATE:

August 5, 2026

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

7.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Staff Update

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

This is a presentation item and no formal action is needed.

OVERVIEW

City Staff would like to provide an update regarding various projects taking place around the community.

Long Cheng Purchase Agreement

The EDA and City Council approved a purchase agreement with Long Cheng Livestock and Meat Processing at a special meeting on July 27th. The purchase agreement has since been fully executed by both parties. Acquisition of Long Cheng's two parcels will provide the City's Economic Development Authority (EDA) with a sufficient level of site control to move forward with implementation of the Hardman Triangle Master Plan. The City tentatively is planning to close on the Long Cheng properties this fall and there will be a leaseback period where Long Cheng is allowed to continue to operate into 2027 as a tenant. More information can be found in the staff memo that was prepared for the City Council meeting: [Staff Memo Link](#).

DW Green Ventures Cannabis Cultivation Facility at 205 Hardman Avenue South

In November of 2025, the City approved conditional use permits for the adaptive reuse of the existing office-warehouse building at 205 Hardman Avenue South as a cannabis cultivation and manufacturing facility: [Staff Memo Link](#). The Applicant, DW Green Ventures, has since removed the manufacturing component from their business model and is now only planning to do cannabis cultivation. They may add manufacturing back to their business model at a later date, but this will necessitate a second building permit and additional modifications to the building.

The Applicant was issued a building permit for their remodel project on Monday, July 13th.

Their contractor has valued the remodel project at \$773,000 which represents a substantial investment in a property that has been vacant for years. The Applicant understands that the Planning Commission and City Council have high expectations for odor management at this facility and that the conditional use permit is conditioned on meeting those expectations. The Applicant submitted a final odor management plan as part of their building permit application and all odor management equipment shown in the plan will need to be installed and brought online before the facility can get its certificate of occupancy. The Applicant will need to purchase a Nasal Ranger Field Olfactometer (or contract with a qualified consultant) and must submit monthly reports that document odor levels at the property lines and demonstrate compliance with the conditional use permit.

Camber Hill Townhomes Renovation Project

The City Council agreed with the Planning Commission recommendation and unanimously approved the site plan, conditional use permits, and variances for the Camber Hill Townhomes Renovation project at their July 20th meeting. The Applicant has several minor conditions of approval that they will need to satisfy before they can obtain their building permit. The Applicant (Twin City Housing Development Corporation) anticipates starting construction in the first quarter of 2027.

SOURCE OF FUNDS

NA

ATTACHMENTS

None