



DATE: April 25, 2022

TO: Honorable Mayor and City Councilmembers
Dave Perrault, City Administrator

FROM: Jessica Jagoe, City Planner

SUBJECT: Planning Case # 22-003 – Public Hearing Required
Applicant: Richard Spicer
Property Location: 1682 Wedgewood Circle
Request: Conditional Use Permit

Budgeted Amount:	Actual Amount:	Funding Source:
N/A	N/A	N/A

Council Should Consider

Motions to approve, table, or deny the following:

- Adoption of Resolution 2022-026 for Planning Case 22-003 for a Conditional Use Permit at 1682 Wedgewood Circle.

Approval of a Conditional Use Permit requires an affirmative vote of three councilmembers.

Background

The Applicant submitted a Conditional Use Permit application to allow a Class II Accessory Home Occupation on the Subject Property for the operation of Crimsontech Industries, LLC. Crimsontech Industries, LLC is a Minnesota registered limited liability company (the “Company”) that was opened on February 16, 2022. The company’s business activities are related to the repair, maintenance, and restoration of firearms via an online portal. In addition, the online store shall carry a small amount of inventory for sale. All customer communications and business activity is conducted online and through deliveries to the subject property, up to one per day. No advertisement shall be placed on the property. The company is a small scale operation and is solely owned and operated by the Applicant, CEO and Owner Richard Spicer.

Suggested Findings of Fact

The Planning Commission reviewed this application at their April 6, 2022, meeting and have offered the following findings of fact for your consideration:

1. The subject property located at 1682 Wedgewood Circle is zoned R-3, Townhouse and Low Density Multiple Dwelling District and is designated for Medium Density Residential uses on the 2040 Comprehensive Plan.
2. A home occupation is allowed in residential zoning districts, but a Conditional Use Permit is required when there is the delivery of products.
3. The Applicant is the sole owner and operator of Crimsontech Industries, LLC, a business related to repair, maintenance, and restoration of firearms including online sales.
4. Crimsontech Industries, LLC is a Minnesota registered limited liability company that was opened on February 16, 2022.
5. All company business is conducted through an online portal and no customers will be visiting the subject property. There is no in-person interaction between the Applicant and business patrons.
6. The company requires only one delivery per day.
7. The company is a small scale operation and is solely owned and operated by the Applicant, CEO and Owner Richard Spicer.
8. Repair, maintenance, and restoration of the firearms is conducted entirely within the dwelling.
9. A public hearing for a Conditional Use Permit request is required before the request can be brought before the City Council.
10. The Planning Commission conducted a public hearing on April 6, 2022.

Options and Motion Language

The Planning Commission reviewed this application at their April 6, 2022 meeting. At that time, they recommended approval of the application from Richard Spicer for a Conditional Use Permit by a 6-0 vote. The following are motion language options for the City Council to consider.

1. Recommend Approval with Conditions: Motion to *adopt* Resolution 2022-026, approving Planning Case 22-003 for a Conditional Use Permit to allow a Class II Accessory Home Occupation at 1682 Wedgewood Circle, based on the findings of fact and submitted plans, subject to the following conditions:
 1. The Applicant shall obtain, maintain, and provide evidence upon request of applicable County, State or Federal licensing for the proposed home occupation following City Council approval.
 2. The Applicant shall for the duration of the Conditional Use Permit continue to provide evidence to the City of issuance of FFL renewal licenses and/or Letters of Authorization from the Federal Firearms Licensing Center prior to the expiration of the federal firearms license.
 3. The number of daily deliveries associated with the home occupation shall be limited to one per day.
 4. No exterior evidence of the home occupation shall be permitted.
 5. No exterior signage shall be permitted.
 6. The home occupation shall be conducted only by the occupants of the premises and may not employ any person not residing in the residence.

7. There shall be no patrons visiting the premises and all home occupation engagement and sales must be exclusively conducted online.
 8. The premises shall at all times be protected by a contracted security service and all firearms and ammunition shall be kept secured in heavy duty gun safes.
 9. The level of security is adequate to address the potential risks as determined by the Ramsey County Sheriff's Department.
2. Recommend Approval without Conditions: Motion to *adopt* Resolution 2022-026, approving Planning Case 22-003 for a Conditional Use Permit to allow a Class II Accessory Home Occupation at 1682 Wedgewood Circle, based on the findings of fact and submitted plans in the April 25, 2022, Report to the City Council.
 3. Recommend Denial: Motion to *deny* Resolution 2022-026, approving Planning Case 22-003 for a Conditional Use Permit to allow a Class II Accessory Home Occupation at 1682 Wedgewood Circle based on the following findings of fact: *the City Council should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
 4. Table: Motion to *table* Resolution 2022-026, approving Planning Case 22-003 for a Conditional Use Permit to allow a Class II Accessory Home Occupation at 1682 Wedgewood Circle for the following reasons: *the City Council should identify a specific reason and/or information request should be included with a motion to table.*

Deadline for Agency Actions

The City of Arden Hills received the completed application for this request on March 9, 2022. Pursuant to Minnesota State Statute, the City must act on this request by May 8, 2022 (60 days), unless the City provides the petitioner with written reasons for an additional 60 day review period. The City may, with the consent of the applicant, extend the review period beyond the initial 120 days.

Budget Impact

N/A

Attachments

- A. Resolution 2022-026
- B. Presentation