



Legislation Details (With Text)

File #: RES 23-178 **Version:** 1
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In control: City Council
Final action: 2/15/2023

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add Auto Repair Garage and Second Hand Dealer - Motor Vehicle licenses, for Arcade Auto Body LLC (License ID #20190001657), d/b/a Arcade Auto Repair and Arcade Auto Sales, to the existing Auto Body Repair/Painting Shop license, located 1346 Arcade Street.

Sponsors: Nelsie Yang

Indexes:

Code sections:

Attachments: 1. Signed Conditions Affidavit, 2. Minutes, 3. Class N Application, 4. Current License Requirements, 5. NONCONFORMING USE PERMIT (NCUP) #20-096344_2021-02-05, 6. NONCONFORMING USE PERMIT (NCUP) #20-096344_Staff-Report_2021-02-05, 7. Site Plan, 8. Site Inspection Photos_2022-12-23, 9. STAMP Activity Report, 10. Incident Report, 11. Objection #1, 12. Objection #2, 13. Objection #3 (District Council Correspondence), 14. Support Letter #1, 15. Support Letter #2, 16. Support Letter #3, 17. 2020 District Council (NCUP) Support Letter, 18. Aerial Photo, 19. Zoning Map, 20. Plat Map, 21. 100' Property Ownership, 22. AMANDA Print Screen, 23. Class N Notification, 24. Notification of License Hearing, 25. License Hearing Sign-In Sheet

Date	Ver.	Action By	Action	Result
2/16/2023	1	Mayor's Office	Signed	
2/15/2023	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add Auto Repair Garage and Second Hand Dealer - Motor Vehicle licenses, for Arcade Auto Body LLC (License ID #20190001657), d/b/a Arcade Auto Repair and Arcade Auto Sales, to the existing Auto Body Repair/Painting Shop license, located 1346 Arcade Street.

WHEREAS, Arcade Auto Body LLC (License ID #20190001657), d/b/a Arcade Auto Repair and Arcade Auto Sales, located at 1346 Arcade Street, has applied for Class N license to add Auto Repair Garage and Second Hand Dealer - Motor Vehicle licenses to the existing Auto Body Repair/Painting Shop license; and

WHEREAS, a notification regarding the license application was sent from the Department of Safety and Inspections to the affected neighborhood for the period of December 9, 2022 to January 13, 2023; and

WHEREAS, during the notification period, objections were received which triggered the hearing and a hearing was held on January 23, 2023; and

WHEREAS, the objections were related to trash, sidewalk accessibility, illegal parking, hours, and pollution; and

WHEREAS, in response to the concerns raised, the licensee has agreed to work with the city to comply with the necessary requirements to minimize nuisance activities that would disturb the surrounding residential neighborhood; and

WHEREAS, after conducting the hearing and considering the testimonies and evidence, the Deputy Legislative Hearing Officer recommends that the application for Arcade Auto Body LLC (License ID

#20190001657), d/b/a Arcade Auto Repair and Arcade Auto Sales, located at 1346 Arcade Street, be approved with the following conditions:

CONDITIONS #1 - 9 PER NONCONFORMING USE PERMIT #2020-096344:

1. The garage addition behind the house at 1334 Arcade, approved in 1992 to provide classic car storage, shall continue to be used for parking at least 8 vehicles, and shall not be used for auto body or auto repair shop work (vehicle cleaning is permitted in this area). With this area subtracted from the building area for the purpose of calculating required parking, it reduces the number of required parking spaces to 18. Since this condition requires 8 parking spaces be provided in the garage addition, then 10 other parking spaces must be provided on the site to meet the parking requirement.
2. A site plan that reflects these conditions shall be submitted to the Department of Safety & Inspections for review and approval. The 1985 Zoning Administrator order to remove the spray booth addition on the north side of the building, an order that was upheld by the City Council upon appeal, remains in effect unless it is rescinded by the Zoning Administrator upon site plan review and approval. If the former spray paint booth addition remains it shall be used only for cleaning and detailing vehicles, and may not be used for auto body or auto repair shop work. (If the addition were removed, it would reduce the parking requirement by 1 space, and the location of the addition could be used for an additional parking space.)
3. The parking spaces that are required for customers, employees and vehicles on the lot for auto repair shall not be used for display of vehicles for sale.
4. Employee vehicles, for-sale vehicles, repair vehicles, and any other vehicles associated with the business must be parked on-site, and shall not be parked on streets or alleys.
5. The layout of parking spaces must meet the requirements in Zoning Code § 63.308 and § 63.309 for space for any maneuvering of vehicles to be provided on the site and not in public right-of-way.
6. Off-street parking on the site shall meet dimensional and design standards in the Zoning Code to the greatest extent possible, excluding the perimeter and screening landscape requirements in Zoning Code § 63.314 for parking facilities and outdoor auto sales adjoining public streets or sidewalks. A masonry wall or decorative fence (not including chain link), a minimum of three (3) feet in height and a maximum of four and one-half (4½) feet in height, shall be installed and maintained along adjoining Arcade Street and Clear Avenue public sidewalks as required by § 63.314.
7. All auto repair work shall be done within an enclosed building. Paint fumes from the auto body shop shall be controlled so that they are not noticeable on adjacent lots.
8. There shall be no outside storage.
9. At least 100 square feet of additional landscaping shall be provided on the site, to the Arcade Street or Clear Avenue sides of the building at 1346 Arcade Street. Such landscaping need not meet the requirements of Zoning Code § 63.314, and it may result in the loss of for-sale vehicle spaces but it may not result in the loss of customer or employee parking spaces.

ADDITIONAL LICENSE CONDITIONS #10 - 21:

10. The parking lot shall be striped and maintained in accordance with the approved site plan on file with DSI dated 11/21/2022. A maximum of eighteen (18) vehicles may be parked on the exterior of the property at any time. Vehicles shall be parked in accordance with the approved site plan. Site improvements (e.g., parking space striping, masonry-wall/decorative-fencing, landscaping, etc.) shall be maintained in good order and repair.
11. The storage of vehicles for the purpose of salvaging parts is expressly forbidden. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing. Vehicle salvage is not permitted.
12. Customer vehicles may not be parked longer than ten (10) days on the premises. It shall be the responsibility of the licensee to ensure that any vehicle not claimed by its owner is removed from the lot as permitted by law.
13. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street is prohibited.
14. Licensee must comply with all federal, state and local laws.
15. Wheel stops shall be added to the customer parking spaces fronting along Arcade St to ensure that

vehicles do not project into and/or obstruct the public right-of-way (i.e., sidewalk).

16. Licensee acknowledges that any activity taking place on the property shall comply with Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code, and agrees to entirely close the rear alley garage doors when grinding tools are in use/operation in order to promote compliance with this Chapter.

17. The hours of operation on Monday thru Friday shall be limited to between 8:00 a.m. and 6:30 p.m.

18. The hours of operation on Saturdays shall be limited to between 8:00 a.m. and 5:00 p.m.

19. The establishment shall be closed on Sundays except that the licensee, employees, and/or staff may be on-site between the hours of 10:00 a.m. and 4:00 p.m. to perform maintenance on the premises, paperwork, etc. No working on vehicles shall occur on Sundays. Any activity taking place on the premises shall not create a disturbance that is discernable from outside the building.

20. All painting will occur within an approved spray paint booth that is maintained in good order and repair.

21. Site improvements in accordance with the approved site plan shall be completed by 06/01/2023

THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions.

The Conditions Affidavit was signed and submitted on January 23, 2023.