

LICENSE HEARING MINUTES
First Student, 80 Arlington Avenue East
Thursday, July 26, 2012, 2:00 p.m.
330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:00 p.m.

Staff Present: Kris Schweinler and Corinne Tilley, Department of Safety and Inspections (DSI)

Applicant: Randy Rogers, Location Manager, First Student

Others Present: Kerry Antrim, District 6 Planning Council, Vicente Romero, owner/applicant for Minuteman Minneapolis Auto Repair; Jose Sanmartin, Spanish Interpreter for Mr. Romero; and Jim McGovern, "Consultant" to Mr. Romero

First Student: Application for a Gas Station

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns. The City received one (1) letter of concern which triggered the hearing. There were three possible results from this hearing: 1) recommend the City Council issue this license without any conditions; 2) recommend the City Council issue this license with agreed upon conditions; or 3) recommend the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge. The applicant will be required to sign a Conditions Affidavit demonstrating the understanding of the conditions.

DSI staff will explain their review of the application and state their recommendation. Ms. Vang will then ask the applicant to discuss their business plan. At the end of the hearing, she will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Ms. Schweinler stated that the recommended license condition was as follows:

1. The use of the gas pumps shall be limited to vehicles which are owned and/or operated by the licensee, and shall not be made available to the general public.

The District 6 Planning Council submitted a letter of support with a recommendation that buses are to use Trout Brook Circle for ingress and egress and all employees and any related vehicle traffic is to use the Arlington Avenue entrance. DSI recommended approval with the above condition; zoning was still under review; however, they approved the site plan submitted by First Student.

Ms. Vang reviewed the site plan and asked about the ingress/egress for the school buses entering the property to refuel.

Ms. Tilley responded that the buses would enter on Trout Brook Circle, make a loop around to the gas pumps and then exit again onto Trout Brook Circle.

Mr. Rogers stated that the property was fenced and not accessible to the general public. They planned to install two pumps which would have a code in order to access the pumps for fueling.

Ms. Antrim submitted a letter from the District 6 Planning Council which is made a part of this record and indicated support for First Student. Ms. Vang stated that since District 6's request was out of her purview she would not recommend the use of specific ingress/egress entrances to the property.

After reviewing all of the documents of record, Ms. Vang said she will recommend to the City Council that they approve the license with the condition recommended by DSI. The proposed condition was agreed to by Mr. Rogers and is as follows:

1. The use of the gas pumps shall be limited to vehicles which are owned and/or operated by the licensee, and shall not be made available to the general public.

The hearing adjourned at 2:05 p.m.

The Conditions Affidavit was signed and submitted on June 21, 2012.

Submitted by: Vicki Sheffer