

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, May 22, 2014 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Edgerton, Makarios, Merrigan, Nelson, Padilla, Reveal, and Wencil  
ABESENT: Wickiser  
STAFF: Bill Dermody, Nicole McCarthy, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**Internacional Auto Sales LLC - 14-197-427 - Expansion of nonconforming use to increase number of parking stalls for outdoor auto sales, 1265 Arcade St, NW corner at Orange**

Bill Dermody presented the staff report with a recommendation of approval with conditions for the expansion of a nonconforming use permit. He stated District 5 recommended denial, and there were 4 letters in support, and 3 letters in opposition.

Commissioner Reveal inquired about the history of license violations at the site. Mr. Dermody explained there have been a number of investigations conducted by the Department of Safety and Inspections (DSI) regarding reported violations, but they have not taken adverse action against the license at this point.

At questions from the Commissioners, Mr. Dermody explained the applicant will not be acquiring additional property, but will be reorganizing the site in order to accommodate additional parking stalls at the site. They removed a repair area and relocated a rock garden compared to the 1994 site plan. He stated proposed Condition #5 is taken verbatim from the conditional use permit issued in 1994. There is no room for indoor storage at the site.

Commissioner Merrigan questioned if the site is large enough to accommodate the additional parking stalls and if tandem parking is permitted. Mr. Dermody explained that tandem parking is not permitted for customers or employees, but is allowed for vehicle storage. He stated there may be some issues with the size of the parking stalls and space on the site, but noted the application is subject to site plan approval from DSI.

Kristian L. Oyen, the applicant's attorney, 7630 Southridge Court, Savage, responded to the concerns regarding the ability of the site to accommodate the expansion of the number of parking stalls. He explained that the site plan submitted in 1994 shows parking stalls that have a width of 11.5 feet and the current site plan will have stalls that are 9.5 feet wide. He also noted that there is no longer auto service being done at the site and that will allow for more vehicle storage.

Commissioner Padilla explained there are major concerns pertaining to violations of parking in the neighborhood. There have been numerous complaints submitted by the neighborhood residents, and she would like to know what the business plan is to address the complaints.

Mr. Oyen stated that if this application is approved there will be a commercial lease executed and there will be new management with extensive experience with this type of business. There will be no off-site parking of vehicles.

Upon questions from the Commissioners, Mr. Oyen stated currently there are 22 parking stalls at the site; 14 stalls for vehicle sales, 8 stalls for customers and employees. They would like to add a total of six more parking stalls.

Dorian Morris, 754 Jessamine Avenue E, Saint Paul, spoke in support. He stated he is a member of PPL and District 5 Community Planning Council. They want to see business back in the east side area. This has been a positive entity to the neighborhood. He stated that while there have been issues with street parking it is not all due to Internacional Auto.

No one spoke in opposition. The public hearing was closed.

Commissioner Padilla suggested revisions to two of the conditions; Condition #2 should be modified to state that the employee/customer parking stalls should be designated by a permanent sign and paint stripes, and strike "materials" in Condition #4, and replace with "no outside storage of anything other than passenger automobiles shall be permitted on site." She also recommended adding a condition stating that a violation of any license condition imposed by City, County, or State for this use shall constitute a basis upon which to revoke this zoning permit.

Commissioner Barbara Wencil moved approval with conditions of the expansion of nonconforming use permit subject to the revisions and additional condition stated by Commissioner Padilla. Commissioner Elizabeth Reveal seconded the motion.

The motion passed by a vote of 6-1-0.

Adopted                      Yeas - 6              Nays - 1 (Padilla)              Abstained - 0

Drafted by:



Samantha Langer  
Recording Secretary

Submitted by:



Bill Dermody  
Zoning Section

Approved by:

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Gaius Nelson  
Chair