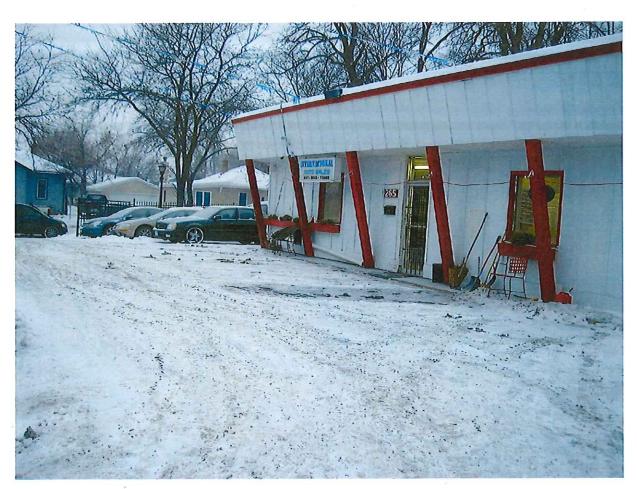
January 2014 staff photographs of the site





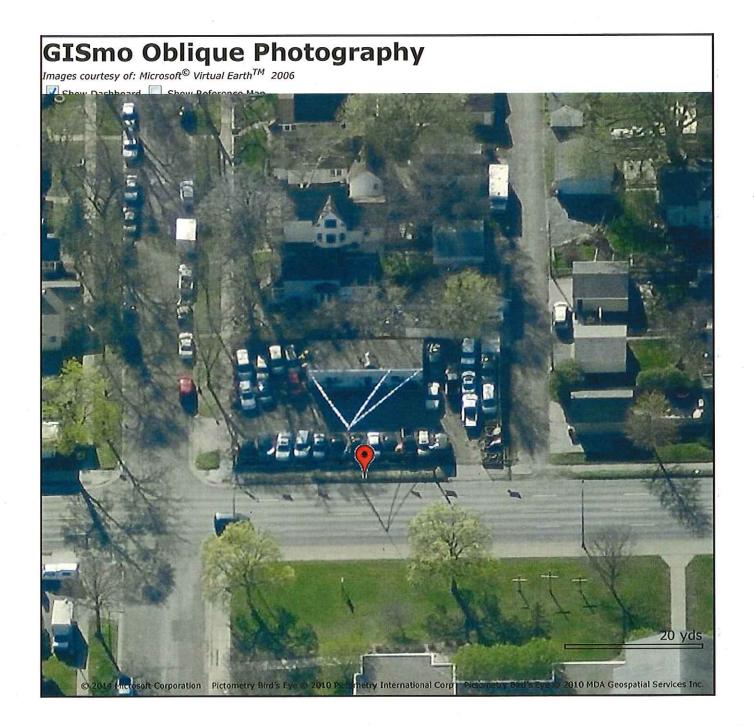








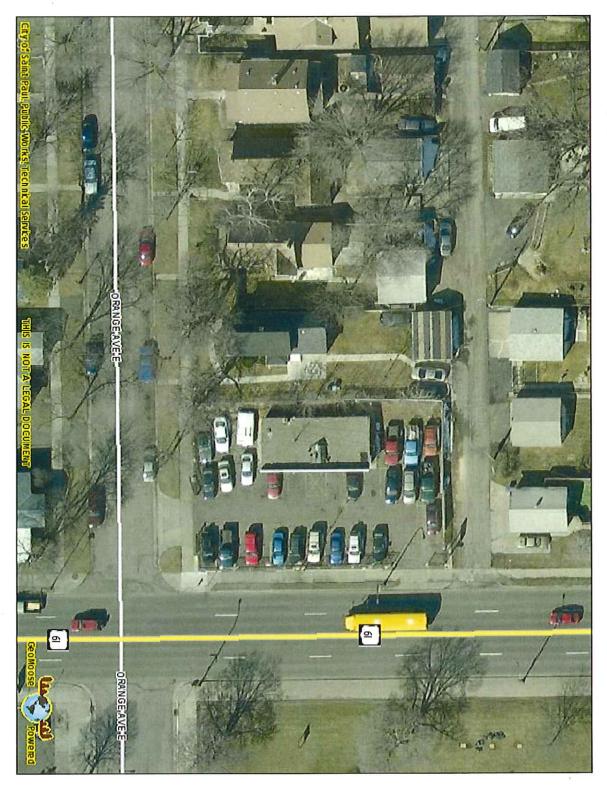




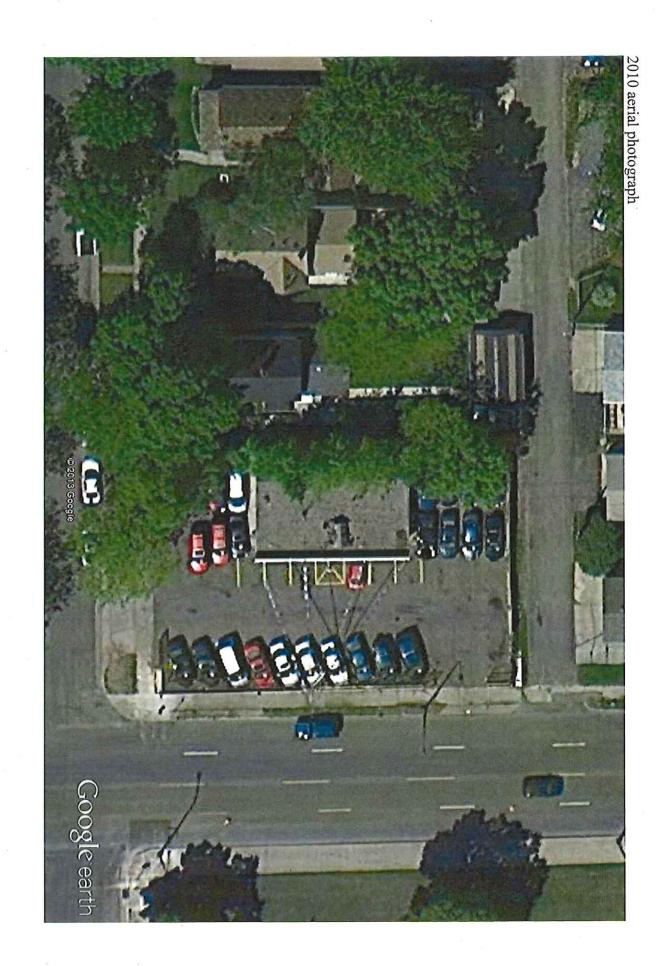




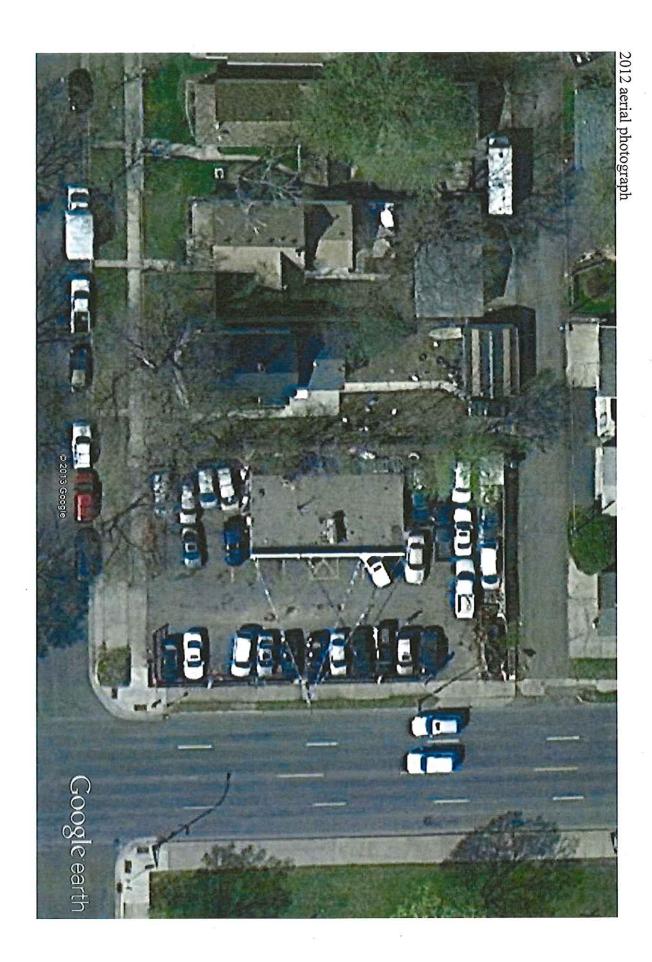












1994 CUP

of saint paul nning commission resolution number 94-66

November 18, 1994

WHEREAS, FORTUNE AUTO SALES, file #94-247, has applied for a Special Condition Use Permit under the provisions of Section 60.544(2) and 64.300(d) of the Saint Paul Legislative Code to allow outdoor sales of used automobiles on property located at 1265 ARCADE STREET, legally described as Lots 17 & 18, Block 6; Oak Ville Park; and

WHEREAS, the Zoning Committee of the Planning Commission held a public hearing on November 7, 1994, at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of Section 64.300 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The applicant has a contract to purchase the property and intends to operate a used car business on the site. While there is an auto repair bay in the building, the single service bay does not have a hydraulic lift. Consequently, the applicant plans to conduct only minor repair of vehicles which are for sale on site; he will not operate a general auto repair garage at this site. The proposed hours of operation are from 9:00 a.m. to 6:00 p.m. Monday through Saturday; there will be two employees. There is space for the display of 14 vehicles and 8 off-street customer and employee parking spaces.

A 5 to 6 foot chain-link fence surrounds the property; there are gates for vehicular access on Arcade, just south of the alley, and on Orange, just west of Arcade. There is also a driveway on Arcade just north of Orange, but there is no gate opening to allow traffic.

The applicant submitted a letter from the City of Saint Paul Department of Fire and Safety Services which indicates that the existing underground storage tanks, stated by the owner to have been filled with sand over 15 years ago and with fill opening having been filled with concrete (visually verified), have been approved as abandoned in place.

2. Section 60.544(2) of the zoning code permits outdoor sales space for exclusive sale of new or secondhand automobiles, house trailers or rental of trailers or automobiles, all subject to the following:

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SPECIAL CONDITION USE PERMIT

ZONING FILE # 94-247

APPLICANT: FORTUNE AUTO SALES

PURPOSE: Special condition use permit to allow outdoor sales of used automobiles.

LOCATION: 1265 Arcade Street (northwest corner of Arcade & Orange)

LEGAL DESCRIPTION: Lots 17 & 18, Block 6, Oak Ville Park

ZONING COMMITTEE ACTION: Recommend approval with conditions

PLANNING COMMISSION ACTION: Approval with conditions and modification of Finding 2b, to permit the location of the driveway on Orange Avenue to be not less that 30 feet from the Arcade Street curb line, subject to the following conditions which must be met before the use is established:

CONDITIONS OF THIS PERMIT:

- 1. There shall be no more than 14 "For Sale" cars on the lot at any one time.
- A minimum of 8 off-street parking spaces shall be provided for customers/employees.
- The existing fence along Orange Avenue and Arcade Street is removed; no barbed wire fencing shall be present on the site.
- 4. The driveway on the west side of Arcade Street, immediately north of Orange Avenue be discontinued and access for the parking lot be obstructed with wheel stops or similar materials.
- No outside storage of materials other than automobiles shall be permitted on the site.
- 6. "For Sale" cars shall be parked on the lot at all times when they are not being road tested or transported for a intensure or sale, and shall not be parked in the public a rest or alley at any time.
- 7. The applicant obtains and maintains a dealership repair garage license for the business, not a general auto repair license.

APPROVED BY: David McDonell, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on November 18, 1994 and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

This permit will expire one year from the date of approval if the use herein permitted is not established.

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1100 City Hall Annex, 25 West Fourth Street. Any such appeal must be filed within 15 calendar days of the mailing date noted below.

Violation of the conditions of this permit may result in its revocation.

Donna M. Sanders Secretary to the Saint Paul Zoning Committee

Copies to: Applicant

