



Legislation Details (With Text)

File #: RES 14-1587 **Version:** 1

Type: Resolution **Status:** Passed
In control: City Council
Final action: 9/24/2014

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add an Auto Body Repair Garage license to the existing Auto Repair Garage license, for Hmong Auto Service and Sales Inc., (I.D. #0010069), d/b/a Hmong Auto Service at 789 Rice Street.

Sponsors: Dai Thao

Indexes: License, Ward - 1

Code sections:

Attachments: 1. Minutes, 2. Conditions Affidavit, 3. Application, 4. Objection by District 6 Community Council, 5. Addendum to Conditions Affidavit, 6. Aerial Photo, 7. Street Photos, 8. STAMP Activity, 9. Police Indicent Report

Date	Ver.	Action By	Action	Result
9/29/2014	1	Mayor's Office	Signed	
9/24/2014	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add an Auto Body Repair Garage license to the existing Auto Repair Garage license, for Hmong Auto Service and Sales Inc., (I.D. #0010069), d/b/a Hmong Auto Service at 789 Rice Street.

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Hmong Auto Service to add an Auto Body Repair Garage license to the existing Auto Repair Garage license, be approved with the following conditions:

1. Parking for customer, business vehicles, vehicles awaiting repair and the dumpster location shall be arranged as per the approved site plan on file with the Department of Safety and Inspections (DSI) dated 04/15/2014. The total number of vehicles parked on the property, inclusive of both licensed businesses (i.e., customer, employee, for-sale (for East Side Auto Sales (lic. ID #20130005356) business only), shop trucks, and equipment vehicles), shall not exceed a maximum of fifty-eight (58) at any time. At least thirteen (13) off-street parking spaces must be provided for customer/employees eleven (11) in the front area of the building adjacent to Rice Street, and two (2) on the south side of the building) as per the approved site plan. This customer/employee parking shall be maintained for the joint use by both licensed business on the premises. One handicapped van accessible parking space shall be provided south of the building and shall be designated with appropriate signage, displaying the international wheel chair symbol for accessibility. For-sale vehicles (for East Side Auto Sales (lic. ID #20130005356) business) shall not be displayed for sale and/or parked in the parking spaces intended as "customer parking" or "Hmong Auto Repair Parking" as shown on the approved site plan.
2. A fence shall be installed that separates the vehicle sales display area for East Side Auto Sales (located in the southwest corner of the property) from the Hmong Auto Repair Vehicle Parking area and the customer parking area (serving each of the licensed businesses). Vehicles for sale shall be designated with a price tag or similar form of marking in the windshield that identifies the vehicle with the respective dealership name.
3. Licensees shall be responsible for their business activities and any violation of the conditions of their

license approval within their defined tenant spaces and exterior parking areas, and shall be jointly responsible for any violation within the common customer/employee parking area as shown on the approved plan dated 04/15/2014. This includes, but is not limited to the maximum number of vehicles allowed to park in these areas, and any exterior storage.

4. All vehicle parking spaces (including the vehicle sales display areas and customer parking spaces) shall be striped and maintained with painted lines on the paved surface, and a fence shall be installed and maintained in accordance with the approved site plan on file with DSI dated 04/15/2014. Striping and installation of the fence shall be completed by 06/01/2014. A fence permit and all required inspection(s) shall be obtained from DSI for its installation.

5. At no time shall vehicles associated with this business be parked in the driveway, maneuvering lane, or in the public right of way (e.g., street, boulevard, sidewalk, alley, etc.). This includes vehicles awaiting repair, customer/employee vehicles, or business vehicles. Maneuvering lanes on the property shall be maintained unobstructed to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street is prohibited.

6. Auto body repair and/or auto body spray painting is not permitted under this license or in the areas covered under this license.

7. No auto repair of vehicles may occur on the exterior of the lot or in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.). All repair work must occur within an enclosed building.

8. Vehicles parked in the joint customer/employee parking area (i.e., "customer parking" as shown on the approved site plan) as described under condition #1 referenced above shall be completely assembled with no major body parts missing. Vehicles parked in the "Hmong Auto Repair Vehicle Parking" area (the northwest corner of the property as shown on the approved site plan) shall be in a substantially assembled condition.

9. Licensee acknowledges that "substantially assembled" as referenced under #8 mean (A) The vehicles is not missing any of the following major body parts: wheels, body panels (quarter panel, fender, etc.), doors, front/back window glass, trunk lid, or engine hood; (B) The vehicle is missing no more than ONE of the following major body parts: front bumper, rear bumper, or up to two (2) door glass windows (but the door must be on the vehicle).

10. The storage of vehicles for the purpose of salvaging parts is expressly forbidden. Vehicle salvage is not permitted.

11. There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associated with the business. Trash will be stored in a covered dumpster. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.

12. Licensee must comply with all federal, state and local laws.

13. 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.

14. Prior written approval and the necessary permit(s) shall be obtained from DSI before the installation of any signage. This shall include both permanent and temporary signage.

15. No banners, pennants, and/or stringers shall be permitted.

16. There shall be no display of vehicles for-sale and /or the sale of vehicles in the areas (both interior and

exterior) covered under this license.

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 submitted on August 22, 2014.