



## Legislation Text

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**File #:** RES 22-1915, **Version:** 1

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Approving the application with conditions, per the Deputy Legislative Hearing Officer, for David A Heu (License ID# 20220001800), d/b/a Fun Auto, for an Auto Repair Garage license located at 931 Atlantic St Unit I.

WHEREAS, David A Heu (License ID# 20220001800), d/b/a Fun Auto, located at 931 Atlantic St Unit I, has applied for an Auto Repair Garage 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 October 14, 2022, to November 18, 2022; and

WHEREAS, during the notification period, an objection was received which triggered the hearing and a hearing was held on December 5, 2022; and

WHEREAS, the objection was related to customer cars being parked on the street; and

WHEREAS, in response to the concern raised, the licensee has agreed to work with the City to comply with the necessary requirements and to not park cars on the street; and

WHEREAS, after conducting the hearing and considering the testimonies and evidence, the Deputy Legislative Hearing Officer recommends that the application for an Auto Repair Garage license located at 931 Atlantic St Unit I, for David A Heu (License ID# 20220001800), d/b/a Fun Auto, be approved with the following conditions:

The change of nonconforming use (#09-028-679) from auto body shop to auto repair garage is approved by the Planning Commission, subject to Conditions 1 through 3:

1. A site plan showing the building, site access, vehicular circulation, and off-street parking must be reviewed and approved by the Department of Safety and Inspections (DSI).
2. The approved use does not include vehicle sales or vehicle storage.
3. The shop's hours of operation shall be restricted to opening no earlier than 8 am and closing no later than 6 pm daily.

Additional license conditions are as follows:

4. Parking spaces shall be maintained in the area and number shown on the approved site plan for the auto repair business occupying this licensed area. Any changes to the site plan must be approved by the Zoning Administrator.
5. 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.
6. The license holder agrees to maintain the fencing, vehicle location and vehicle barriers in a manner consistent with the approved site plan.
7. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing.
8. Vehicle salvage is not permitted.
9. Auto body repair and/or painting are not permitted.
10. No auto repair of vehicles may occur on the exterior of the lot or in the public right-of-way. All repair work must occur within an enclosed building.
11. Customer vehicles may not be parked longer than 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.

12. Licensee must comply with all federal, state, and local laws.
13. Storage of vehicle fluids, batteries, etc. shall be in accordance with Ramsey County Hazardous Waste Regulations.
14. Failure to remain in compliance will result in adverse action against the license.
15. Licensee will place laminated placards, that are impervious to weather, in each car's dashboard clearly identifying the cars they have in their possession in order to distinguish one business from another.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the agreed-upon conditions and finds that the license conditions are reasonable, and the application is in order and there are no ground to deny the approval of the licenses.

The Conditions Affidavit was signed and submitted on October 22, 2022.