



Legislation Details (With Text)

File #: RES 16-1533 **Version:** 1

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In control: City Council

Final action: 10/19/2016

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Second Hand Dealer - Motor Vehicle license, for Camauto Sales, LLC (I.D. #20160000413), d/b/a Camauto Sales, 1265 Arcade Street. (Laid over from September 21 and October 5)

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Camauto Sales 1265 Arcade St.Conditions Affidavit, 2. Camauto Sales 1265 Arcade St.Minutes, 3. Camauto Sales 1265 Arcade St.Application, 4. Camauto Sales 1265 Arcade St.Site Plan, 5. Camauto Sales 1265 Arcade St.Aerial Photo, 6. Camauto Sales 1265 Arcade St.Site Photos, 7. Camauto Sales 1265 Arcade St.Letter of Support from DC, 8. Camauto Sales 1265 Arcade St.Letters of Concern, 9. Camauto Sales 1265 Arcade St.STAMP Activities, 10. Camauto Sales 1265 Arcade St.Police Incident Report

Date	Ver.	Action By	Action	Result
10/21/2016	1	Mayor's Office	Signed	
10/19/2016	1	City Council	Adopted	Pass
10/5/2016	1	City Council	Laid Over	Pass
9/21/2016	1	City Council	Laid Over	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Second Hand Dealer - Motor Vehicle license, for Camauto Sales, LLC (I.D. #20160000413), d/b/a Camauto Sales, 1265 Arcade Street. (Laid over from September 21 and October 5)

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Camauto Sales, LLC, for a Second Hand Dealer - Motor Vehicle license, be approved with the following conditions:

1. The parking lot shall be striped and maintained in accordance with the approved site plan on file with DSI dated 10/19/2006. A maximum of twenty-two (22) total vehicles may be parked on the property at any time. The number of vehicles exhibited for-sale shall not exceed fourteen (14) at any time with all marked or signed for-sale. A minimum of eight (8) off-street parking spaces, including maneuvering area, must be maintained for customers and employees in accordance with city requirements. Customer/employee parking spaces must be clearly designated with weather resistant signage stating "Customer/Employee parking only". "Thru-access" must be provided at all times to allow vehicles entering or exiting the site to be traveling forward.
2. An obscuring fence, 6'-0" high must be installed and maintained in a professional manner along the west property line between the building and alley. If a new fence is installed, it must be constructed of wood materials. Plastic slats inserted in the existing chain link fence is also acceptable as a screening device.
3. No auto repair, autobody repair, or painting of vehicles is allowed on the licensed premises or in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.). Washing, waxing and cleaning vehicles intended for sale is allowed on the licensed premises, but not in the public right-of-way.

4. At no time shall customer, employee, or for-sale vehicles be parked in the driveway, maneuvering lanes, or in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.). All vehicles on the site must be parked as shown on the approved site plan on file in DSI, dated 10/19/2006. (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. Sidewalks surrounding the premises shall be maintained free of litter, debris, or snow.
7. The license holder agrees to maintain the vehicle location, vehicle barriers, landscaping, etc. in a manner consistent with the approved site plan and in good repair.
8. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing.
9. Vehicle salvage is not permitted.
10. 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.
11. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward as stipulated on the approved site plan. Backing from the street or onto the street is prohibited.
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. The Second Hand Dealer Motor Vehicle License is issued on the condition that the State of Minnesota Dealer Number is submitted to DSI upon issuance by the State of Minnesota Dealer unit. The State of Minnesota Dealer Number must be issued to the same business entity licensed by the City, and Ivo Tabukum must be the only named owner and agent associated with the Minnesota Dealer Number. Any changes to the registered owner or agent of the State Dealer Number must receive prior written authorization from DSI.
15. All vehicles parked on the licensed premises that do not belong to customers, and are not the personal vehicles of employees, must be registered to the Minnesota Dealer Number identified in condition #14, above. The presence of any vehicles on the licensed property that do not meet this condition shall constitute per se grounds for adverse action. The presence of any vehicles on the licensed property that are registered to any company owned by, or associated with, Nasseh Ghaffari, or any immediate family members of Nasseh Ghaffari, shall also constitute per se grounds for adverse action.
16. Nasseh Ghaffari, and the immediate family members of Nasseh Ghaffari, may not participate in, engage in, oversee, or have an interest in any aspect of the licensed business, including representing the licensed business in any forum or in any manner.
17. Nasseh Ghaffari, and the immediate family members of Nassah Ghaffari, may not be present on the licensed premises between the hours of 9:00 a.m. and 9:00 p.m., or at any time the licensed business is in operation or otherwise open to the public.
18. Given the serious nature of the criminal activities and ongoing noncompliance with license conditions that

previously occurred at the licensed premises related to the business operations of Nassah Ghaffari and his family members, licensee agrees that any violation of license conditions 14,15,16, or 17 shall justify a substantial upward departure from the presumptive matrix penalties found in Leg. Code section 310.05(m).

19. Licensee agrees to patch/repair the holes in the asphalt parking lot with the same or similar material by 08/01/2016.

20. Failure to remain in compliance with any license condition will result in adverse action against the license.

21. Licensee agrees to limit the hours of operation to 8:00 a.m. to 9:00 p.m. Monday - Friday, and 8:00 a.m. to 4:00 p.m. Saturday.

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 18, 2016.