City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
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Legislation Details (With Text)

File #:	RES 23-763 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	5/24/2023

Title: Approving the application with conditions, per the Legislative Hearing Officer, for David A. Heu (License ID # 20220001800), d/b/a Fun Auto, to add an Auto Body Repair Shop license to the existing Auto Repair Garage license, located at 931 Atlantic Street Unit I.

Sponsors: Nelsie Yang

Indexes:

Code sections:

Attachments: 1. Signed Conditions Affidavit, 2. Minutes, 3. CUP #23-012807 Add Auto Body, 4. Class N Application, 5. Site Plan, 6. Street Photo, 7. STAMP Activity Report, 8. Incident Report, 9. Letter of Objection, 10. Aerial Photo, 11. Zoning Map, 12. Plat Map, 13. 100' Property ownership, 14. AMANDA Print Screen, 15. Class N Notification, 16. Notification of License Hearing, 17. License Hearing Sign-in Sheet

Date	Ver.	Action By	Action	Result
5/31/2023	1	Mayor's Office	Signed	
5/24/2023	1	City Council	Adopted	Pass

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

WHEREAS, David A. Heu (License ID # 20220001800), d/b/a Fun Auto, located at 931 Atlantic Street Unit I, has applied for Class N license to add an Auto Body Repair Shop license to the existing 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 April 12, 2023, to May 12, 2023; and

WHEREAS, during the notification period, an objection was received which triggered a hearing and the hearing was held on May 15, 2023; and

WHEREAS, the objection was related to illegally parked customer cars; and

WHEREAS, in response to the concerns raised, the licensee has agreed to work with the city to comply with the necessary requirements to minimize nuisance activities that would disturb the surrounding residential neighborhood; and

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

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.

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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.
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. The painting of vehicles and/or vehicle parts is not permitted.
10. No 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 than 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.
16. An opaque fence must be installed along the Phalen Boulevard right-of-way to screen this uses vehicles from awaiting repair.
17. All trash shall be stored within an enclosed obscuring wall or fence, shall not exceed the height of the wall or fence, and shall be removed from the lot by licensed waste disposers at least once per week.

The change of nonconforming use (#09-028-679) from auto body shop to auto repair garage was approved by the Planning Commission, subject to conditions #16 & 17 above which are per Conditional Use Permit (CUP) # 23-012807; and

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

The conditions affidavit was signed on April 17, 2023 and submitted on May 14, 2023.