

**LICENSE HEARING MINUTES**  
**Rudy's Auto Repair LLC, d/b/a Rudy's Auto Repair, 475 Como Avenue**  
**Thursday, August 24, 2:00 PM**  
**Room 330 City Hall, 15 Kellogg Boulevard West**  
**Nhia Vang, Deputy Legislative Hearing Officer**

The hearing was called to order at 2:01 PM

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI) Licensing Inspector; David Eide, DSI Zoning Inspector (remote participation)

Licensee: Maricruz Hernandez, Applicant/Manager

License Application: Auto Repair Garage license

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a license application. This license application required a Class N notification to inform neighbors and the District Council about the application and provide them with an opportunity to submit comments. The city received correspondence of concern/objection, which triggered this hearing.

The hearing will proceed as follows: DSI staff will explain their review of the application and state their recommendation. The applicant will be asked to discuss their business plan. Members of the community will be invited to testify as to whether they object to or support the license application. At the end of the hearing, the Legislative Hearing Officer will develop a recommendation for the City Council to consider. The recommendation will come before the City Council as a resolution on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

There are three possible results from this hearing: 1) a recommendation that the City Council issue this license without any conditions; 2) a recommendation that the City Council issue this license with agreed upon conditions; or 3) a recommendation that the City Council not issue this license but refer it to the city attorney's office to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

Manager Maricruz Hernandez stated that the owner, Sandra Medina, had authorized her to speak and agree to license conditions on her behalf.

Jeff Fischbach, Department of Safety and Inspections (DSI) - Licensing, gave a staff report for licensee Rudy's Auto Repair LLC (License ID# 20230001164), d/b/a Rudy's Auto Repair, located at 475 Como Avenue. The application is for an Auto Repair Garage license. DSI is recommending approval with the following license conditions:

1. Licensee shall complete all site improvements in accordance with BZA Variance #23-025706, approved site plan on file with DSI, and timeline established by the DSI Zoning Administrator.

2. Licensee shall maintain the site in good order and repair in accordance with the approved site plan of file with DSI.
3. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street is prohibited.
4. No 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.
5. There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associated with the business. Trash stored in a covered dumpster must be located inside the building at all times, except on trash pick-up day the dumpster may be placed outdoors for pick-up. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.
6. Prior written approval must be obtained from the DSI Zoning Administrator for any display of tires outdoors.
7. No customer vehicles under the control of the licensee can be parked and or stored in the public right-of-way. This includes vehicles waiting for repairs and vehicles waiting to be picked up by the customer.

The North End Neighborhood Organization has submitted a letter of support. Building conditions, in process; License approved with conditions; and Zoning approved with conditions.

Vang asked if the applicant understood and agreed to the conditions. Hernandez answered in the affirmative.

Vang asked about the Zoning review.

David Eide, Department of Safety and Inspections (DSI) - Zoning, gave a staff report. This location is zoned I1, light industrial. An auto repair station is a permitted use here. There are some standards and conditions that apply here:

- a) The minimum lot area shall be fifteen thousand (15,000) square feet.
- b) A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjoining an existing residence or adjoining land zoned residential.
- c) All repair work shall be done within an enclosed building.
- d) There shall be no outside storage.

The property initially did not meet these standards and so they applied for a zoning variance from them. A variance was approved for the landscape buffer section, in which the Board of Zoning Appeals (BZA) allowed for a 4-foot buffer on the western side and zero feet of buffer on the eastern side. There were some conditions though:

1. The previously approved front yard landscaping is installed as shown in the 1993 site plan.
2. The business sign is removed from the public right-of-way.
3. A poured concrete curb is constructed to prevent vehicles from encroaching in that required front yard.
4. A sign stating "No backing into or out of Como" is installed as shown in 1993 site plan.

5. Obscuring fences are maintained along the eastern and western property lines separating the parking facility from the residences for as long as the residential uses are present.

The variance regarding the tree was denied. The applicant did then submit a revised site plan with the tree being installed. This was approved by the BZA on May 15, 2023, and is the one reflected in the agenda packet.

Vang: So, each side has a residential home and that's why the obscuring fence is there?

Eide: Each side does have a residential use, yes, and the obscuring fence is required as long as each neighboring property is used that way.

Vang: This is the first time this land is being used this way, correct?

Hernandez: These variances were applied for because initially when we bought the property, we were under the impression that it had been an auto repair garage. After we applied, we learned that it was just a garage, and began from step one with the variance request.

Vang: Where is the fence at in the process?

Hernandez: The curb and fence are being worked on. That should be done within a month. The tree will be done after. The sign will also be coming after. The sign that was there inappropriately has been removed. We will also be operating on an appointment-only basis.

Vang: I see there are 5 parking spaces, with one being for special needs customers. Are there spaces inside?

Hernandez: We have two spaces inside. We will have the doors shut while work is being done. We do have central air conditioning. We don't want to disturb the neighborhood.

Vang asked the applicant to talk about the business: history, hours of operation, number of employees, etc.

Hernandez: This is part of a family business. We wanted to get into auto repair, but by appointment only. This is our first location for auto repair. The goal is that our children will pursue that path as well. We plan to have 2 staff and will be open 9am – 3pm on Monday – Friday, and 10am – 2pm Sat. We will be closed Sunday.

Vang: How does one enter the site?

Hernandez: Customers enter on Como and check in with me and then the car will be brought inside. There is clearance for two cars to move together.

Vang: That's good to know because that wasn't clear from the site plan. Regarding signage, you know who to talk to about that from DSI?

Hernandez: Yes.

Vang: How will waste be disposed?

Hernandez: Liberty will be handling tire pickup. Auto waste will be stored inside and covered, and will be picked up once a week, or more if needed. They can come up to the building to pick it up if needed, so we don't need to drag it out to the curb.

Vang asked about lighting.

Hernandez: We are trying to be very protective about our business with the lighting. We have started with lighting on each corner of the building, especially in the front. We want to be able to see clearly with our security system, which faces the front and the back.

Vang: I would encourage you to talk to DSI staff about lighting, to ensure you are complying with Zoning code and not disturbing neighbors.

Fischbach: Someone in our zoning division would be a good person to talk to.

Hernandez: This is in the works. We are just waiting for the fence and the curb to be done before we start focusing on the sign and security.

Vang asked Eide if 5 parking spaces are appropriate for this business.

Eide: The City eliminated parking minimums from its Zoning code a couple years ago. The number of spaces was determined by the amount of available room for cars to maneuver with the required front yard setback, which is 25 feet from the parkway.

Vang read into the record the letter of objection from Cecilio Salazar, which voiced concerns over litter. She then gave the applicant the opportunity to respond.

Hernandez: We talked about this on Tuesday with the District Council. With the green space we are adding to Como, that brings a better look to the community than a typical auto repair shop and will encourage neighbors to keep the community nice. I don't think our business has to do with this complaint. We will also be cleaning our property as well to discourage littering.

Vang read into the record the letter of support from the North End Neighborhood Organization.

Vang stated that after reviewing the records and considering the testimonies from all parties, she will recommend to the City Council that they approve the license with the following agreed-upon conditions:

1. Licensee shall complete all site improvements in accordance with BZA Variance #23-025706, approved site plan on file with DSI, and timeline established by the DSI Zoning Administrator.
2. Licensee shall maintain the site in good order and repair in accordance with the approved site plan on file with DSI.

3. Provide maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street is prohibited.
4. No 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.
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The hearing adjourned at 2:26 PM.

The Conditions Affidavit was signed on August 17, 2023, and submitted on August 24, 2023.