

MINUTES OF THE ZONING COMMITTEE
Thursday, September 24, 2020 - 3:30 p.m.

PRESENT: DeJoy, Hood, Lindeke, and Syed
EXCUSED: Baker, Edgerton, Grill, and Rangel Morales
STAFF: Bill Dermody, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Lindeke. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely and the public able to submit comments by noon on the day before the meeting and monitor the meeting remotely. All written testimony is published online and made available to the Zoning Committee members for review before the meeting.

Castillo Auto Repair - 20-069-027 - Change of nonconforming use from auto body shop to general auto repair / tire repair, 744 3rd St E, SW corner at Maple Avenue

Bill Dermody presented the staff report with a recommendation of approval with conditions for the change of nonconforming use permit. He noted an amendment to condition two of the staff report that states that there be no outdoor storage of tires or other materials, except in Area "B" on the site plan there may be a for-sale tire display during open business hours that is stored inside nightly. He said District 4 submitted a letter and made no recommendation but did list some concerns. There were no letters submitted in support and one letter submitted in opposition.

In response to Commissioner DeJoy, Mr. Dermody said the revised recommendation was sent to the applicant earlier in the day, and he is not aware if the applicant has seen or accepts the change.

Jerry Castillo, 535 Chapel Lane, Eagan, MN said he wanted to address the Area A section in the site plan. The area is gated and fenced in and would be used for temporary storage of tires that would be picked up every Thursday by Go Around Recycling Tires. It is not intended to be an area for long term storage or to display tires.

In response to Commissioner Lindeke, Mr. Castillo said he doesn't have concerns with fire danger because the key thing is to have the tires removed every week. Their priority is safety for the community, and they will make sure that this will be enforced.

In response to Commissioner Syed, Mr. Castillo said the tire recycling company will send a truck size for the actual capacity of what is being picked up. They are not expecting to accumulate hundreds of tires every week. It will be a small portion and the vehicle will not be a big semi-truck, it will be a small box truck. The noise will be kept to a minimum.

The public hearing was closed.

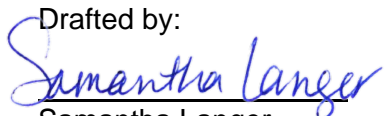
Commissioner DeJoy said she appreciates the applicant's intention to have the tires picked up once a week, but outdoor storage is problematic, and the Department of Safety and Inspections receives a lot of complaints. The applicant has stated that there will not be a large accumulation of tires to pick up at a time and it seems they could be stored inside until picked up.

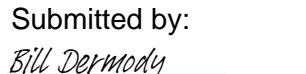
Commissioner Syed said he has concerns with possible noise during pick up and if they got too busy and all the tires were not picked up every week.

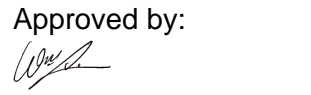
Commissioner DeJoy moved approval with conditions of the change of nonconforming use permit subject to the amended staff report. Commissioner Omar Syed seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:

Samantha Langer
Recording Secretary

Submitted by:

Bill Dermody (Oct 9, 2020 13:51 CDT)
Bill Dermody
City Planner

Approved by:

Bill Lindeke
Chair









Castillo Auto Repair ZC min - for signature

Final Audit Report

2020-10-09

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