

DECISION

Applicants' request for approval of a Conditional Use Permit is hereby granted to operate an automotive repair business and separate car sales business in the general business district for property located at 5365 Stacy Trail, PID 19.00127.10, legally described on attached Exhibit A, in accordance with and subject to compliance with the following conditions of the city code:

1. General Conditions:

- (a) The proposed use will use existing building structures.
- (b) No parking shall be allowed within the MNDOT right-of-way. A revised parking plan must be submitted prior to operation under the Conditional Use Permit showing compliance with the requirement that no parking is allowed within the MNDOT right-of-way.
- (c) Applicant must provide twenty-two parking stalls meeting city code requirements for design and size for the entire Property.
- (d) A painted centerline stripe must be applied and maintained as marked on the attached Exhibit B.
- (e) The parking lot shall be constructed of an impervious surface, either bituminous, concrete, or approved equivalent surface, and completed on or before June 15, 2008, meeting city design standards, and the paving and construction shall be completed in such a manner so as to have no negative impact on existing utilities.
- (f) Parking areas for the repair, outside storage and sale of motor vehicles shall be on impervious surface, either bituminous, concrete, or approved equivalent.
- (g) Interior concrete curbs shall be constructed within the property to separate driving and parking areas from landscaped areas.
- (h) Maintain current landscape conditions.
- (i) The property must be kept in a clean, attractive condition, and free of any nuisances violations or other violations of the city code.

2. Motor Vehicle Tire Service, subject to the following:

- (a) Compliance with all city code provisions including without limitation Section 153.051 (D)(7).
- (b) Only automotive tire repair and tire sales are permitted, and only within the principal structure identified as "1" on the diagram attached hereto as Exhibit B.
- (c) No painting of vehicles is permitted.
- (d) The storage of vehicles and vehicle parts and accessory equipment must be completely inside the principal structure.

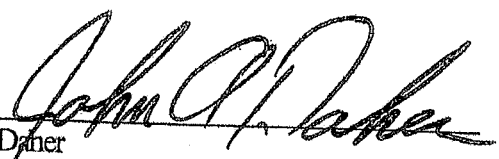
3. Motor vehicle sales, subject to the following:

- (a) Compliance with all city code provisions including without limitation Section 153.051 (D)(8).
- (b) All sales shall occur on the portion of the Property identified as area "2" on attached Exhibit B.
- (c) Operation shall be limited to no more than ten (10) motor vehicles for sale on the Property

- at any one time.
- (d) The required off-street parking for customers and employees shall be designated on the site plan and located close to the sales building.
 - (e) Each space used as parking for a "for sale" motor vehicle shall not be less than 9 feet wide by 18.5 feet in length.
 - (f) Display of motor vehicles for sale off the property of the owner is prohibited.
 - (g) Comply with all state licensing requirements, including bonding, and show proof of the same, prior to commencement of operation.


Adopted this 12th day of February 2008.

City of Stacy



John Diner
Mayor

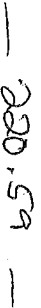
Attested:



Sharon MT Payne
City Clerk

138.60

Approx.
mbdot row



EXISTING CLASS 5 LOT