

LICENSE HEARING MINUTES
JME Transit, 290 Larch Street
Thursday, December 5, 2019, 3:00 p.m.
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 3:00 p.m.

Staff Present: Kris Schweinler and David Eide, Department of Safety and Inspections (DSI)

Licensee: Jeffrey Dufresne, Applicant/Owner

License Application: Auto Repair Garage

Other(s) Present: NA

Legislative Hearing Officer Nhia Vang confirmed with Mr. Dufresne that he was a co-owner with Tria Vang, who was not present and that he would also be speaking on Tria Vang's behalf.

Ms. 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 to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

Kris Schweinler, Department of Safety and Inspections (DSI), gave a staff report. She said the application had been approved by Licensing and Zoning with conditions; Building was not an issue. There were 14 conditions attached to the license which had been agreed to by the applicant.

Recommended License Conditions:

1. All vehicles shall be parked on the property in a manner that is consistent with the approved site plan on file with the Department of Safety and Inspections (DSI) dated 08/28/2019. Site conditions shall be maintained in accordance with the approved site plan, including keeping in good order and repair any site improvements such as asphalt/concrete paved areas, fencing, striping of individual parking spaces (including one handicap parking space with code compliant signage/striping), etc. Any changes to the site plan must be approved by the Zoning Administrator.
2. Nineteen (19) individually striped off-street parking spaces shall be provided for employee and customer parking in accordance with the approved site plan on file with DSI dated 08/28/2019 as follows: nine (9) standard (9'X18') parking spaces, nine (9) compact (8'X17') parking spaces, and one (1) handicap accessible (16'X18') parking space.
3. Long term vehicle storage on the site may only be located in the area shown on the approved site plan on file with the Department of Safety and Inspections (DSI) dated 08/28/2019 which is the southern end of the property.
4. Business, customer and/or employee vehicles shall not be parked or stored on the street. This includes vehicles which are awaiting repair and/or have been repaired and are awaiting pick-up by their owners.
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. All vehicles parked and/or stored outdoors must appear to be completely assembled with no major body parts missing.
7. Vehicle salvage is not permitted.
8. Motor vehicle sales is not permitted.
9. Auto body repair and/or painting are not permitted.
10. No auto 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, with an exception for long term vehicle storage as referred to under conditions #3, 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.
12. Except for vehicles entering and exiting the truck repair service bays for the building on the west side of the property, licensee shall 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 onto the street or from the street is otherwise prohibited).
13. Licensee must comply with all federal, state, and local laws.
14. Storage of vehicle fluids, batteries, etc. shall be in accordance with Ramsey County Hazardous Waste Regulations.

Ms. Vang asked Ms. Schweinler whether the conditions were standard. Ms. Schweinler said they were fairly standard, and some of them were site-related. Ms. Vang confirmed with Ms. Schweinler that the site plan had been approved.

Ms. Vang confirmed that Mr. Dufresne understood the proposed conditions. She asked about the long-term storage referenced in Condition 3. Mr. Dufresne said it was all school buses. Storage was for buses that needed repair, and could be for two or three weeks. Mr. Vang asked whether

the auto repair garage was only for buses. Mr. Dufresne said there were some vans. Ms. Schweinler said they were all related to school.

Ms. Vang asked how many bus spaces there were. Mr. Dufresne said they could have as many as 22 or 23, but they typically only had six or seven on site and the others were parked in Roseville with Minnehaha Transportation.

Ms. Vang asked Mr. Dufresne if he'd been running this type of business for a long time. Mr. Dufresne said they started the business in 2015 and were located in Roseville. He said it became overcrowded so they moved.

Ms. Vang asked about pick-up of garbage and parts. Mr. Dufresne said Advanced Disposal came once a week.

Ms. Vang asked about the schedule of buses coming and going and how many employees there were. Mr. Dufresne said there would be three mechanics on site. He said he mostly pushed paper, and Tria did most of the on-site scheduling, working, and dispatching.

Ms. Vang asked about lighting. Mr. Dufresne said they had lights put on the exterior about a year ago and it was well-lit.

Ms. Vang asked whether the property was gated and fenced off. Mr. Dufresne said it was.

Ms. Vang asked whether the parking spaces were marked. Mr. Dufresne said the parking spaces for the drivers and mechanics were marked and were on the side of the building. He referred to the site plan.

Ms. Vang confirmed with Ms. Schweinler that Zoning had signed off on the site plan; she noted there were 19 spaces in total and one ADA parking space.

Ms. Vang asked if it was asphalt parking throughout. Mr. Dufresne said the parking area and the area for buses that might run was paved, but the area in back with long term storage was not paved.

Ms. Vang asked about snow removal and the effect of snow storage on the number of parking spaces. Mr. Dufresne said one of the mechanics plowed and the snow was stored on the property. He said it hadn't impacted the number of spaces so far.

Ms. Vang asked the hours of operation. Mr. Dufresne said Tria and others arrived about 4:30 a.m., and they were there until 7:00 or 7:30 p.m. when buses returned. He said it was just Monday through Friday, with rare exceptions.

Ms. Vang asked whether they had installed security cameras. Mr. Dufresne said yes; they were placed around the outside.

Ms. Vang asked whether there had ever been illegal dumping. Mr. Dufresne said not since they'd been there. Ms. Vang asked how long they'd been there. Mr. Dufresne said since the fall of 2018. Ms. Vang asked whether they'd been operating under the existing license. Ms. Schweinler said they really had not been operating, but mostly had done a lot of site improvements and clean-up. Mr. Dufresne said they started putting buses there in the fall of 2018 and started auto repair two months ago.

Ms. Vang asked Mr. Dufresne what he meant by paper pushing. Mr. Dufresne said he did invoicing and paid bills.

Ms. Vang referred to letter of support from the district council, and the letter of objection from Alloy Welding with concerns about street parking. She asked Mr. Dufresne to respond. Mr. Dufresne said they had the same concerns, but the vehicles parked on the street had nothing to do with them and were from Just in Tyme Towing.

Ms. Vang reviewed the street photos in the packet, and additional photos of Alloyed Welding and Just in Tyme Towing. Ms. Vang asked Mr. Dufresne whether he thought the complainant knew the cars were from Just in Tyme Towing. Mr. Dufresne said he thought the complainant was just trying to draw everybody's attention to the issue. Ms. Schweinler said they were well aware of it.

Ms. Vang said she had nothing to add, and would recommend approval of the license with the agreed upon conditions. She said the concern was noted for the record, and she would share it with the Council member.

The hearing adjourned 3:15 p.m.

The Conditions Affidavit was signed and submitted on December 10, 2019.