

LICENSE HEARING MINUTES
CJ tunes LLC d/b/a CJ Tunes, 186 Forbes Avenue
July 12, 2021, 10:04 a.m.
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

In light of the COVID-19 health pandemic, a remote hearing was held by telephone or other electronic means. It was called to order at 10:02 a.m. A roll call was made to confirm attendees.

Staff Present: Department of Safety and Inspections (DSI) Licensing Staff Jeff Fischbach and Zoning Staff David Eide; Hearing Officer Nhia Vang; and Recording Secretaries Janis Peterson and Dominique Archiebald.

Licensee: Carl Thomas, Applicant/Owner of CJ Tunes LLC (License ID# 20210000857)

Other(s) Present: Angela Wishard, wife of Carl Thomas, and Ashley Keller, Office Manager of CJ Tunes

License Application: Auto Repair Garage license, located at 186 Forbes Avenue.

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a Class N license application. This license application required notification to nearby residents and businesses, including the affected District Council about the application and provide them with an opportunity to submit comments. The City received correspondence of concern/objection within the notification period, 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.

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. The City Council is the final authority on whether the license is approved or denied.

Minutes:

Jeff Fischbach, Licensing Inspector for the Department of Safety and Inspections (DSI), gave a staff report for licensee CJ Tunes LLC (License ID# 20210000857), d/b/a CJ Tunes, located at

186 Forbes Avenue. The application is for an Auto Repair Garage license. There are no existing conditions

DSI is not recommending any conditions for the Auto Repair Garage license. There has been no correspondence received from any neighborhood organization to recommend or object. Building conditions, not applicable. Zoning has approved the license and DSI recommends approval with no conditions for the Auto Repair Garage license for CJ Tunes LLC (License ID# 20210000857), d/b/a CJ Tunes.

Mr. Thomas met with the District Council and introduced himself and his business plan. He shared his contact information in case there were questions and concerns. Ms. Vang thanked Mr. Thomas for sharing this information and encouraged him to develop a relationship with the District Council.

Ms. Vang then asked Mr. Carl Thomas, applicant and owner of CJ Tunes to testify. She asked him to talk about the business: history, hours of operation, number of employees, floor plan etc. Ms. Vang withheld any Zoning questions pending Zoning staff being available.

Mr. Thomas gave a brief description of the business and the type of specialized automotive work they do. CJ Tunes will operate Monday through Friday from 7:00 a.m. or 8:00 a.m. to 5:00 p.m. and will be closed on Saturday and Sunday. CJ Tunes only services late model GM (General Motor) vehicles manufactured 2008 or later such as Corvettes and Cadillacs. However, CJ Tunes will also work on older classic cars that have been updated with newer GM drivelines, transmissions, and engines. The work that is performed is non-traditional mechanical, as most of the work is recalibration and reprogramming of the vehicle's electrical and computer systems. CJ Tunes currently operates out of another St. Paul location along with another business that Mr. Thomas owns – Lancer Service. Lancer Service is a traditional and general automotive repair garage. Mr. Thomas will manage both locations with an Office manager at each location as his support. Ms. Keller, one of his Office managers will work out of the Lancer office and float between locations as necessary.

CJ tunes has a lower volume of service than traditional Auto Repair Garages. From January 1st to June 30th, 2021 CJ Tunes totaled 246 Repair Orders (RO's), which calculates to 2.05 cars per day. While his other business, Lancer Service has totaled 1373 RO's over the same period with a calculation of 11.44 cars per day. Mr. Thomas mentioned that there is no advertising for CJ Tunes, and hasn't advertised for the last 10 years, although the business has continued to grow, which is why CJ Tunes needs a larger facility. They rely primarily on word of mouth advertisement and maintaining a good reputation.

The floor plan consists of a wide-open floor space with 9,797 square feet of space for automotive work and has a vehicle wash bay. The building was once owned and used by Allina Health for ambulatory vehicle maintenance and repair. The building is also clean, organized and houses office space for management, and an area of 575sq ft for parts. Because of the type of work that is done, customers will usually leave with their old vehicle parts once their cars have been repaired, leaving no need for recycling or disposal of car parts. However, any oil recycling and disposal will be done through McCarthy oil, and vehicle batteries will be recycled and/or

disposed of via Interstate Battery. Tire disposal will be processed through Lancer Service and will stay inside of the 186 Forbes Avenue location until picked up for processing. Due to the low volume of cars, CJ Tunes currently houses 6-8 customer cars on site at any time. That number will increase to roughly 10-15 cars over the next several years. Currently, indoor parking will support 19-24 vehicles at a time, which will allow customers as well as employees to park indoors, eliminating the issue of outdoor parking and any noise. On the back side of the building on Leech Street, the parking is open on the CJ Tunes side, with permitted parking. Mr. Thomas does not anticipate these spaces being used for CJ Tunes parking since the cars being worked on are high-end vehicles. Customer vehicles will enter the shop from Forbes Avenue and will never be left unattended outdoors. There is also an exhaust system which filters the air and exits through the top of the building so as not to be intrusive to the neighborhood. The bay doors will remain closed and Mr. Thomas is contemplating purchasing AC cooling and Infrared heating units to reduce the amount of noise reducing the possibility of the bay doors being opened, and to keep employees comfortable. There is currently lighting installed on the exterior of the building and may be updated in the future to include basket style lighting and will add basic signage to the front of the building. There will also be a security alarm installed once permitted. The lighting inside the building will also be upgraded to LED's from T8 style lighting. Mr. Thomas is hoping to begin operations in the 186 Forbs Ave location once the license is approved, and his vehicle hoists are delivered. His desired timeframe is the end of July. He mentioned that he would like to get through this process as soon as possible as there are two employees being paid with no work being performed.

Ms. Vang reviewed the past history of this location and pointed out complaints related to graffiti on the exterior of the building and asked how Mr. Thomas would handle that situation. Mr. Thomas wants to maintain a clean place and graffiti will be cleaned up quickly and painted over.

Ms. Vang then open the next part of the hearing for public input. She noted the four (4) letters/emails of objections which triggered the hearing. Given that there are no objectors on the call, she read the letters and emails into the record. She informed Mr. Thomas that he would be given an opportunity to respond to each of the objections.

Ms. Vang proceeded to read the letters/emails into the record starting with Mr. Frank Martin. Mr. Martin, 55 Wilkin, stated in his email that he objects objected to the Auto Repair Garage license because of parking. He stated that adding any auto- related business in the area will continue to exacerbate the existing parking problem for neighborhood residents. He added that the last tenant continued to park illegally without any parking enforcement by the City of St. Paul and would like to see the language of the license changed to address the amount of vehicles and time that vehicles can remain on the street.

Ms. Vang gave Mr. Thomas the opportunity to respond to Mr. Martin's concern.

Mr. Thomas stated that outdoor parking simply will not happen, as there is plenty of space for parking inside of the building. He does not want or need to have customers or employees park outdoors.

Ms. Vang asked DSI Staff who oversees parking enforcement and who handles complaints that come in regarding parking enforcement. Mr. Fischbach stated that St. Paul Police Department's Parking Enforcement division handles parking enforcement. He also stated that DSI wouldn't be aware of parking violations unless a complaint was made directly to DSI or if the police contacted DSI regarding complaints related to a business. He then provided the contact numbers for both DSI and the non-emergency Police phone numbers: DSI General Complaints (651) 266-8989 and Police Non-emergency (651) 266-9111.

Ms. Vang then accepted and read into the record the remaining submitted emails and letters of objections. She provided Mr. Thomas an opportunity to respond to the raised concerns.

Catherine Carey, 57 Wilkin Street #2 referenced noise and parking as her reasons for objecting to the license CJ Tunes is seeking. She stated that noise is an issue as the business is located in a residential area with many children, adults and seniors, and believes the work at CJ Tunes would be extremely loud and interfere with the health, safety and welfare of nearby residents. Ms. Carey also cited parking as an issue due to the area being primarily permit parking only. She states that she is disabled, and her home has no driveway and she must be picked up and dropped off on the street in front of her home. She stated that illegal parking in the neighborhood is a serious ongoing problem.

Mr. Thomas responded and reiterated that there is ample parking indoors for customers and employees, which will not impede on the neighborhood's parking situation. He further stated that the noise will not be an issue as the repairs will be done inside of the building. He also stated that if there is a belief that a vehicle will pose a noise issue, that the doors to the facility will be closed and the noise muffled as much as possible. He also stated that the exhaust hose will allow the doors to remain closed if necessary, without posing a health risk to the employees, customers, and without becoming intrusive to the neighboring residents. Mr. Thomas indicated that any issues that may arise will be address quickly.

Susan Nielsen, 43 Wilkin Street objected to the license. She is concerned about no conditions being placed on the license. She believes the neighborhood already has parking enforcement issues and allowing an Auto Repair Garage license will exacerbate the existing parking problem.

Mr. Thomas again reiterated that there is ample parking indoors for customers and employees for repairs, parking, and parts which will not impede on the neighborhood. He also indicated that there will never be a need for outdoor overnight parking. He stated that moving CJ Tunes in the building will be helpful to residents with the parking issues as they can help monitor the permitted parking in the area.

David Poupore, 155 McBoal Street, objected to the Auto Repair Garage license due to the current issues with parking and parking enforcement. He also stated that he is unhappy with the increased parking fees.

Mr. Thomas noted Mr. Poupore's concerns and stated that there will be no illegal parking on the side of CJ Tunes since all parking will be inside of the building.

Ms. Vang closed the public hearing and noted that there were she had not additional questions for Mr. Thomas to address. She stated that after reviewing the records and considering the testimonies from all parties, she supports DSI's recommendation of not adding conditions to the Auto Repair Garage license. She will recommend to the City Council that they approve the license with no conditions being added to the license. When asked about when Ms. Vang's recommendation could go before the City Council for their consideration, Ms. Archiebald stated that July 28th is the earliest that Ms. Vang's recommendation can come before Council. As part of information-sharing, she will also email DSI staff the outcome of the City Council's legislative action.

The hearing adjourned at 10:54 a.m.