

August 5, 2019

Legislative Hearing Officer
310 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102

RE: 977 Front Avenue
License Number: 20190000933

We are collectively writing in objection to the license application for 977 Front Avenue (License Number: 20190000933).

In the short period of time we first became aware of Duke's Cars and Towing taking over Certified Auto Repair, we have seen the following:

- 1) Vehicles being towed in and out of the shop (presumably being repaired). See Attachment 1 which are photographs taken on April 9 and May 14. In addition, we have video of this happening.
- 2) Duke's Cars and Towing operating at 977 Front without a license. See #1 above. In addition, DSI also witnessed this. Please see May 10 email from Dan Niziolek of DSI (Attachment 2) in which he wrote "An inspection revealed he was setting up and doing some car repair work. He was advised that he could not be doing any car repair until his license is approved. He indicated that he was partially confused by the fact that he had received his alarm permit. He indicated he would only do site work and no auto repair until his license is approved."
- 3) Grass being uncut (they were issued a DSI complaint on July 8, 2019).
- 4) Used tires and oil being stored outside (the oil without a proper catch basin).
- 5) Attached is a photo (Attachment3) of an example of Duke's snow removal on April 11. The photo may not be clear in what is happening, but we watched a small Jeep push the snow from the 977 Front Avenue parking lot into Chatsworth, creating a ridge of snow down the middle of the street. At one point, the driver drove down the sidewalk in front of 980 Chatsworth before he turned into the street in front of 992 Chatsworth, all the while pushing snow into the street.

In addition to the 19 recommended license conditions listed on the License Application Notification, we would urge that all tow trucks be parked indoors overnight – not on Chatsworth Street, Front Avenue or in the parking lot.

Lastly, the signage on the front of the building for Duke's Cars and Towing indicates window tinting will be a service they offer. Does window tinting fall under a separate license than auto repair?

In addition to the concerns listed above, we would like to have the following addressed as well.

From Justin Pope, Pope Automotive, on 991 Front Avenue:

Concern #1: In 2013 I purchased a legally operating repair garage located at 991 Front. Although the business and parking plan on file were grandfathered in, I was required to bring my parking lot up to current parking codes as a contingency of DSI issuing a new business license. This included 3 visits by DSI for the sole purpose of making sure I had the correct handicapped parking/signage/crosshatch before they would approve my license permanently.

977 Front Ave shares the same zoning (B2).

1. Has a variance been applied for at Dukes Cars and Towing to allow for less parking than required by code?
2. Is the approved parking plan available for viewing? How was it approved without neighborhood input?
3. Will this location be required to have handicapped parking spots? I was verbally informed a few months ago by DSI that DSI will not require handicapped parking at 977 Front yet DSI required this of me and feel as though these rules are not being applied in uniformity.

Concern #2: In 2013, I was a few days away from closing on my business property when I received a phone call from Kristine at DSI informing me that a license could not be approved because there were too many previous noise complaints and miscellaneous violations on this property. After talking further with Kristine, she mistakenly thought I was applying for a license at 977 Front, which was currently owned by Chris Walker, Certified Auto Repair. This was clearly just a misunderstanding.

I thought nothing of my conversation with Kristine until Chris Walker approached me three separate times in 2017 and 2018 (the last conversation happened in May or June of 2018) and wanted to know if I was interested in purchasing his property. I was in fact interested in purchasing the property and brought up my concerns to Chris that licensing might be an issue, based on my previous conversation with Kristine in 2013. Chris agreed that the property would not be licensed as an auto repair shop. He thought that if I was interested, I could purchase his entire LCC, which held the license, but the license would not show a change of ownership. I was not interested in skating around the law and was comfortable knowing this location could not be licensed as an auto repair shop, but now begs the question -- what happened between 2013 and today that allows for the property at 977 Front to get approval for an auto repair license?

There are some loose ends that do not add up and appears that rules/code are not being applied in uniformity. Some clarity and explanation on the issues would be appreciated.

We feel that items 1-5 listed above are warning signs of what's to come should Duke's Auto and Towing have their license application approved. We cannot stress enough -- if they were/are operating the business without a license for however many few days/week, that speaks to a) their naiveté to how a business is supposed to operate and/or b) their recklessness in not following rules and laws.

We want to make sure you are not approving a business license that will hurt our neighborhood.

Thank you for your consideration in not allowing this license to be granted.

Sincerely,

Lu Leslie
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Heather Linehan
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Justin Pope
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cc: District 10 Como Land Use Community Council
Council President Amy Brendmoen



Attachment 1



Attachment 1



Attachment 1

From: [Brendmoen, Amy \(CI-StPaul\)](#)
To: heather.linehan@gmail.com
Cc: ["district10@district10comopark.org"](mailto:district10@district10comopark.org)
Subject: FW: 977 Front Avenue - property and new ownership concerns
Date: Thursday, May 2, 2019 1:55:14 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Heather, here's a little update (below)

I'm looping in District 10 Community Council as they may be responding to the public notification period.

From: Niziolek, Dan (CI-StPaul)
Sent: Thursday, May 2, 2019 1:52 PM
To: Brendmoen, Amy (CI-StPaul) <amy.brendmoen@ci.stpaul.mn.us>
Subject: RE: 977 Front Avenue - property and new ownership concerns

Amy,

Not pestering, just a friendly reminder.

Sorry, I was going to get back to you yesterday.

An inspection revealed he was setting up and doing some car repair work. He was advised that he could not be doing any car repair until his license is approved. He indicated that he was partially confused by the fact that he had received his alarm permit. He indicated he would only do site work and no auto repair until his license is approved. We will be following up to ensure he is true to his word.

The public notification period for his auto repair license application ends on May 10.

Please let me know if you have any other questions.

Thanks!!

Dan



Dan Niziolek
Deputy Director

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Attachment 2



Attachment 3