

Planning Commission Report
Meeting Date: May 9, 2024

- Application Filed: 04/09/2024
- Review Period (60-day) Deadline: 06/08/2024
- Extension Declared: No
- Extended Review Period Deadline:

Application No. 2024-003
Applicant | Property Owner: Lin Shuang LLC
Location: 5927 John Martin Drive, Brooklyn Center, MN 55430
Request: Conditional Use Permit



Map 1. Subject Property Location.

Requested Action

Property Owner Lin Shuang LLC (“the Applicant”) is requesting review and consideration for issuance of conditional use permit to allow for a tire installation and auto detailing shop at 5927 John Martin Drive (“the Subject Property”)—refer to Exhibit A. Tires Plus had long been a tenant of the Subject Property until 2022 when they closed. As the use was abandoned for a period greater than 12 months, a new conditional use permit is required per Section 35-7700 (*Conditional Use Permits*).

As part of the application process, a public hearing notice was submitted to the Brooklyn Center *Sun Post* for publication on April 25, 2024 (Exhibit B), and notices were mailed to property owners and physical locations within 350 feet of the Subject Property. A link to the public hearing notice was also published on the City’s website and sent out by email to subscribers of the City’s weekly events bulletin.

Site Data:

2040 Land Use Plan:	Transit-Oriented Development (TOD)
Neighborhood:	Centennial
Current Zoning:	Transit-Oriented Development (TOD) District
Site Area:	Approximately 1.36 acres

Surrounding Area:

Direction	2040 Land Use Plan	Zoning	Existing Land Use
North	Commercial	MX-C (Commercial Mixed-Use)	Commercial (Restaurant Depot Strip Mall)
South	ROW N-MU (Neighborhood Mixed-Use)	TOD PUD/TOD (Planned Unit Development/Transit- Oriented Development)	Office (Brooklyn Center Community Schools Administrative Offices Brooklyn Center Early College Academy Centaur Beginnings Childcare) Undeveloped (City of Brooklyn Center EDA)
East	N-MU (Neighborhood Mixed-Use)	TOD	Undeveloped (City of Brooklyn Center EDA/former Perkins site)
West	Parks, Recreation, Open Space	TOD	Undeveloped (City of Brooklyn Center EDA/former St. Louis Park Clinic)

Existing Conditions





Image 1. Existing Site Conditions at Subject Property.

Background

The Subject Property originally received site and building plan approval in 1979 under Planning Commission Application No. 79035 for what was originally a Berger Brothers sporting goods shop. As originally contemplated, the building was to primarily serve as an approximately 8,820-square foot retail shop, with approximately 1,425-square feet of storage area. At the time, the Subject Property was zoned C2 (Commerce) District, which allowed for retail uses, and contemplated 85 on-site parking spaces for the retail store.

In 1991, the formerly single use retail building received a proposal to convert into a two-tenant building when a Tires Plus auto shop expressed interest in locating on the Subject Property and following closure of Berger Brothers. Tires Plus ultimately took approximately 3,700-square feet of the west side of the Subject Property, with the remaining approximately 6,500-square feet left available for a new user. The remaining space has long functioned as a restaurant and buffet (currently New King Buffet). The Subject Property lost five (5) parking spaces as the restaurant and buffet required a separate trash enclosure area, leaving a total of 80 on-site parking spaces.

The current Property Owner and Applicant, Lin Shuang LLC, purchased the property in 2007. Tires Plus closed their location at the Subject Property in 2022 and the Subject Property was listed for sale shortly thereafter. In August 2023, a Planning Commission was submitted for conversion of the approximately

10,200-square foot building to a restaurant and bar (nightclub); however, the request was denied by City Council in October 2023.

The existing restaurant and buffet business was recently conveyed to a new owner and a new lease executed; however, the Property Owner and Applicant has been courting proposals for the former Tires Plus space for a year. Many of the proposals were for automotive repair shops, which are conditional uses in the Transit-Oriented Development (TOD) District where the Subject Property is located. As the former automotive shop use was abandoned for a period of greater than 12 months, a use permit is required.

The Subject Property is centrally located within the City's designated approximately 80-acre Opportunity Site. A draft Opportunity Site Master Plan has been underway for a number of years and at present the plans are to move towards a final adoption this year. In July 2021, the City of Brooklyn Center City Council adopted an Infrastructure Framework for the Opportunity Site, which serves as a proactive, guiding document and focused on four core components (stormwater, access and connectivity, parks and open space, and land use). While the Framework is intended to help inform decision making, it was also designed to provide certain flexibilities and dependent upon market conditions.

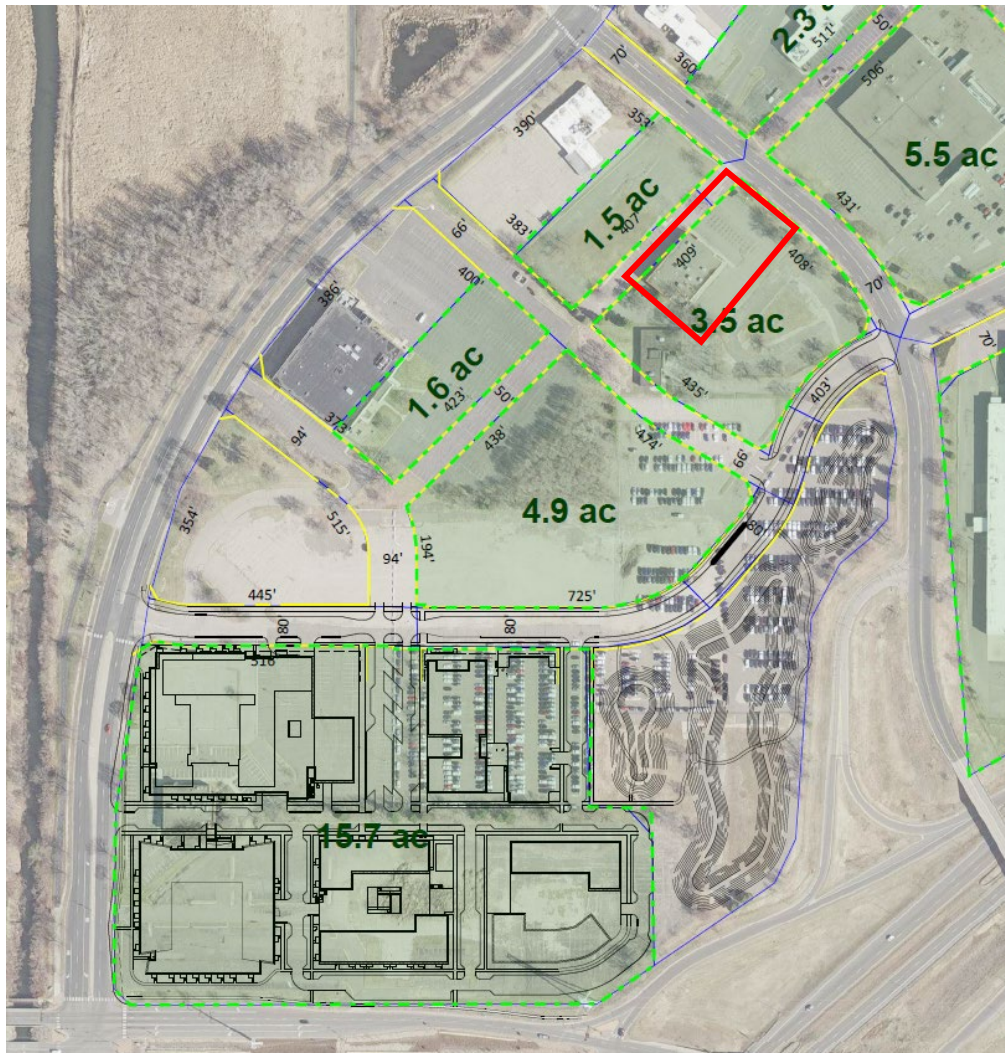


Image 2. Aerial Map Noting Location of Subject Property (in red) in Relation to Infrastructure Framework for Connectivity.

CONDITIONAL USE PERMIT

Business Operations

The Applicant indicated in their project summary plans to lease the former Tires Plus space located on the Subject Property to the former owner and operator of Affordable Tires in Brooklyn Park, as his old space was sold, and as the Applicant felt he was a, "good fit for this space as he has experience, a good crew, and already established loyal customers."

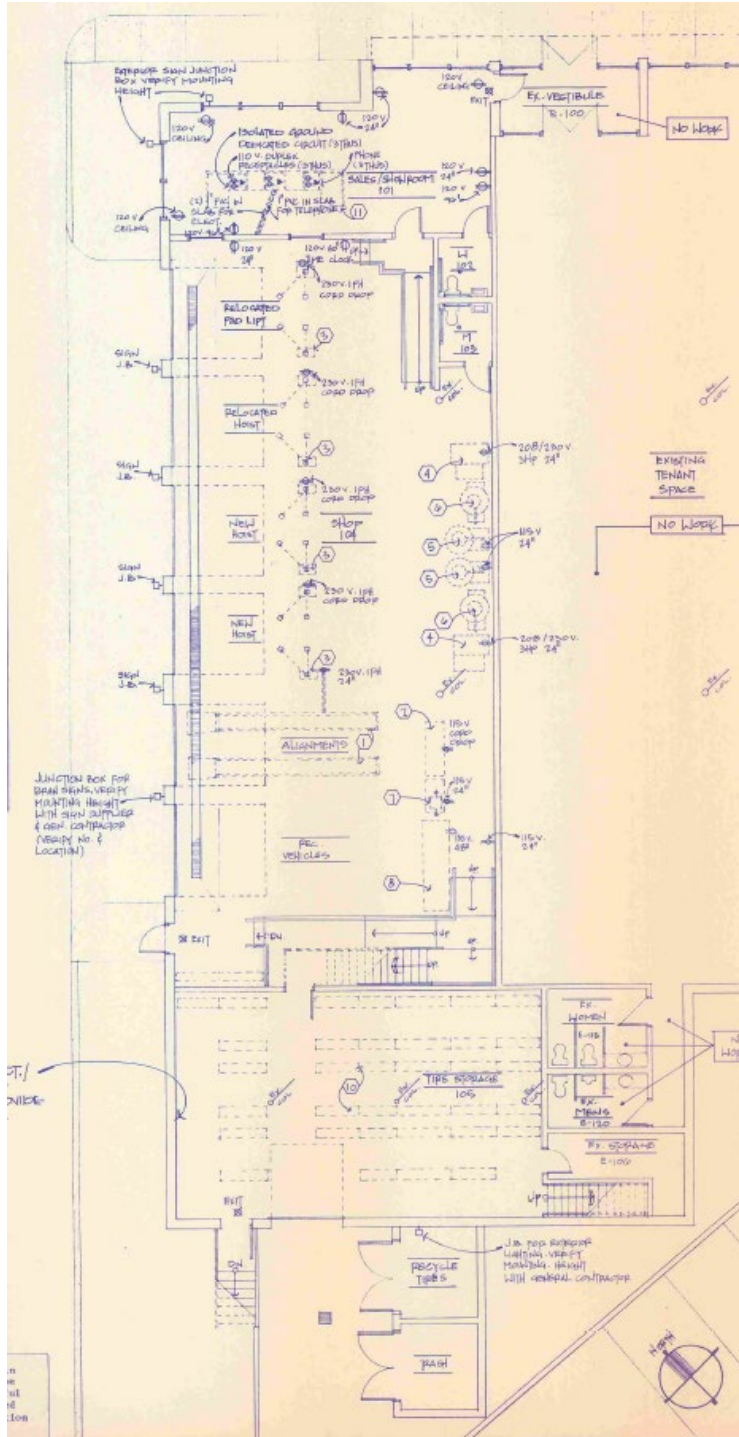


Image 3. Existing Interior Floor Plan (1991).

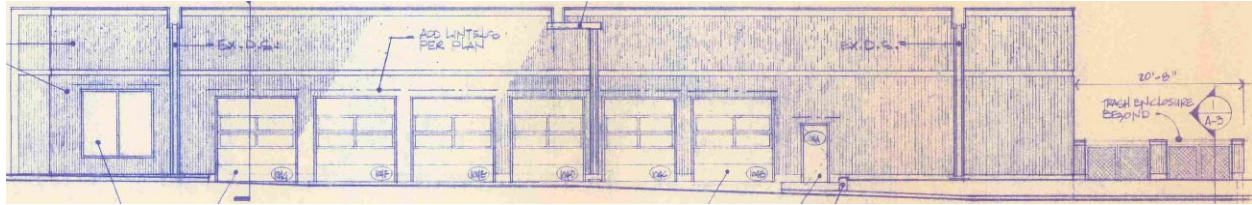


Image 4. Building Exterior – West Elevation (1991).

As proposed, the business would operate Monday through Friday from 9 a.m. to 8 p.m. and Saturday from 10 a.m. to 6 p.m. The Applicant and intended business operator indicated a maximum of 6 employees on shift and approximately 15 to 30 customers per day between the tire installation and auto detailing business. The business would provide tire repair and installation services, with no plans to conduct automotive repairs on-site. This is a notable distinction between the proposed use and the former Tires Plus use as Tires Plus *did* provide repair services (e.g. brakes, alignment, engine repair).

For the auto detailing side of the business, the Applicant indicated that this would be provided by the same operator and that similar services were provided at the proposed tenant's former Affordable Tires location off Bottineau Boulevard (County Road 81) and 73rd Avenue North in Brooklyn Park. The Applicant indicates that no water usage would be required as the auto detailing services would be limited to interior cleaning, vacuuming, and detailing. Exterior detailing would be limited to buffing and polishing. City staff stressed to the Applicant that no detailing work should take place in the parking lot.

When presenting the space to the proposed tenant, the Applicant and Property Owner was clear that no parking was to occur on the adjacent property, which is owned by the City's Economic Development Authority.

With respect to the intensity of the use, City staff reviewed documentation on file for the former Tires Plus (Exhibit C), which indicated a range of two to six employees on duty at any one time. Regarding hours of operation, the hours proposed by the new tenant would be slightly more limited than the former Tires Plus, which operated slightly later in the evenings (until 9 p.m. Mondays through Fridays) and on Sundays from 10 a.m. to 5 p.m.

Building and Site Modifications

For the interior of the space, the hoists, trench drain, and oil/sand interceptor, if required, would require re-installation as the Applicant had removed these given the Applicant's preference had been to utilize the space for retail. The Applicant indicates in their submitted project summary that, after a year of searching for prospective tenants and even offering the Subject Property for sale, that almost all of the inquiries received were for automobile repair and service. The proposed tenant would be responsible for providing any and all tenant furniture and equipment.

In conducting a review of the Subject Property, City staff noted potholes in the parking lot and within the drive access area shared between the Subject Property and adjacent property located at 5939 John Martin Drive, which is owned by the City's Economic Development Authority. Certain areas of the main parking lot had faded parking lot striping. In discussing these, the Applicant and Property Owner indicated a willingness to fill in any potholes and re-stripe the parking lot as necessary.

City staff further noted that the previously non-compliant site lighting, which was last reviewed in 2023 as part of an earlier Planning Commission Application for the Subject Property, had either gone missing

(i.e. spotlights located on the existing freestanding sign) or been replaced with non-compliant lighting (i.e. two globe light posts with residential-style heads). City staff conveyed that the lighting would need to be addressed to comply with City lighting standards as outlined under Section 35-5400 (*Exterior Lighting*). Although there are existing wall-pack style lights located over the automotive bay doors, City staff reiterated that the Applicant and Property Owner should ensure they are functional. If not, replacements shall be proposed for review and approval by City staff.

An existing trash enclosure located at the south end of the Subject Property is in poor condition. City staff is requesting its removal. If the proposed tenant requires a separate, exterior trash enclosure, the Applicant and Property Owner can propose the new enclosure and specifications (e.g. materials, setback off property line) to City staff. Any exterior enclosure will need to fully screen any dumpster and provide a fully opaque fencing/material complementary to the building.

In reviewing the front (north) elevation of the building, City staff noted a residual imprint of the former Tires Plus wall sign, despite its removal. City staff requested the Applicant and Property Owner complete some touch up paint so that it is not visible. Any new wall or tenant panel signage on the freestanding sign will need to comply with the City's sign provisions as outlined under Section 35-6000 (*Signs*).

The Applicant and tenant will need to coordinate with the Minnesota Pollution Control Agency (MPCA) and Hennepin County for any necessary permitting and/or licensure requirements.

Conditional Use Permits, as outlined under Section 35-7700, are those uses which have been identified, because of their nature, operation, location, special requirements or characteristics, and that may only be allowed in a particular zoning district after submittal of an application, review, and recommendation by the Planning Commission, and approval by the City Council.

The Conditional Use Permit process regulates: the location, magnitude, and design of conditional uses consistent with the Comprehensive Plan, and the regulations, purposes, and procedures of this Unified Development Ordinance.

A Conditional Use Permit *may not* be granted by the City Council unless the following criteria have been satisfied (**Note:** Applicant responses transcribed from submitted narrative—Exhibit A):

- a. The conditional use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and this UDO

Applicant Response: The tire shop and car detailing would fit the objective because it's a service-based business that would ultimately help bring people to the area to eat/shop in the area.

City Staff Response: The Subject Property is located within the City's new Transit-Oriented Development (TOD) District, and is also future guided as Transit-Oriented Development under the City's 2040 Comprehensive Plan. The TOD zoning district and future land use designation of TOD are brand new to the City as of 2023 and 2019, respectively.

The purpose of the TOD District, as outlined under the City's Unified Development Ordinance (Section 35-2304), is to, "support opportunities for dense, transit-supportive and transit-oriented development. The TOD District requires intensities and patterns of development that support vibrant pedestrian activity, and discourages land uses and development patterns that could

decrease walkability or interfere with future growth of transit-oriented development and transit ridership. The District intends to promote sustainable urban places that include places to live, work, shop, and recreate, reduce reliance on automobiles, and encourage the use of public transit. The District intends to foster job creation and economic growth in near-proximity to transit, and provides citizens with new housing and lifestyle choices with a high level of amenities and spaces for social interaction.”

The Applicant and Property proposes no major alterations to the exterior of the existing building or existing access off John Martin Drive. Although City staff welcomes any opportunities to enhance the overall pedestrian friendliness, there are also no plans for modifications and “automotive and truck rental repair and service stations” are permitted through issuance of a conditional use permit in the TOD District.

As the Subject Property exists today, there are six (6) existing bay doors located on the west elevation of the building and served by a shared drive running between the Subject Property and adjacent property to the west (5939 John Martin Drive), which is owned by the City of Brooklyn Center’s Economic Development Authority. An existing loading dock is located on the south elevation of the building, along with an existing used tire enclosure.

As conveyed earlier in the report, the existing trash enclosure located at the south end of the property is in poor condition and City staff has requested its removal. If the new tenant requires an exterior trash enclosure, any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided. Any outside tire storage shall be screened and in compliance with Minnesota Building and Fire Code standards.

In reviewing the existing site, City staff noted that some of the main parking lot site lighting, which was already non-compliant during the last review of the property under Planning Commission Application No. 2023-006, is now either missing (i.e. spotlights located on the freestanding sign) or been replaced with non-compliant heads. City staff is requesting a proposal for lighting in compliance with Section 35-5400 (*Exterior Lighting*) be provided. The west elevation, which features the automotive bay doors, does have existing wall pack lights in place; however, their functionality should be verified.

City staff further requested that the Applicant and Property Owner address potholes present in the parking lot and shared drive areas as well as parking lot striping that is fading.

- b. The establishment, maintenance, or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort

Applicant Response: The tire shop and car detailing would help provide 6 jobs locally. The owner previously owned and operated the Affordable Tires for numerous years and have the experience to ensure the site would be operated in a clean, safe, and responsible manner.

City Staff Response: The former Tires Plus space located on the Subject Property has been vacant since 2022; however, prior to its closure, the automotive repair shop had operated at this location since the early 1990s. Although the Applicant and Property Owner had sought out a retail type

use for the space and made strides to make the space more presentable for this type of user, the retail type uses inquiring were deemed to be “not a good fit” per the Applicant and included a cannabis dispensary and motorcycle shop. Other uses who inquired on the space included a pallet recycling warehouse, car graphics shop, and restaurant/night club.

It is presumed the conditional use would promote and enhance the general public welfare by re-filling a space that has been vacant for some time. Most of the surrounding businesses are open during similar times; however, their uses appear to be complementary to one another and the proposed use should not be detrimental to or endanger the public health, safety, morals or comfort. The proposed auto detailing shop would take place within the existing space and the proposed automobile repair use would be less intense as the business would focus on tire installation, rather than a full-service automotive repair shop. The Applicant indicates that vehicles would not be stored on-site for any extended period of time.

“Automobile and truck repair and service stations” as outlined under Section 35-3103 are subject to special requirements outlined within Section 35-4303 (a), which provides additional regulations for vehicle and equipment uses. These include provisions for the outside storage of trash, parts, or tires, and restrictions on the length of a time a vehicle being serviced may be parked on the premises (maximum period of 48 hours).

- c. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood

Applicant Response: Tires Plus was previously operating at this site for over 20 years and closed down post COVID due to labor shortages. Them being here definitely help keep this forgotten portion of Brooklyn Center alive. Having a successful business in this corner of the city would help property values in the area versus having another vacant building that is both an eye sore and contribute to declining property values in this area.

City Staff Response: Based on a review of City records, the former Tires Plus had existed in the proposed space for approximately 30 years. As proposed, the new tenant’s tire installation and auto detailing shop would be a less intense use than the former Tires Plus location, which provided automotive repair services. There would be no long-term storage of vehicles, and there could be no longer term storage of vehicles on-site as City Code provisions do not allow for vehicles to be parked on the premises for longer than 48 hours.

Although the Applicant and Property Has indicated a desire to refill the tenant space as quickly as possible, they are also cognizant of the City’s priorities with the Opportunity Site and will re-evaluate their use of the Subject Property dependent on any future development around the property. Despite this, City staff did convey requests to address striping in the parking lot, the filling in of potholes, and site lighting.

- d. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district

Applicant Response: Our shop wouldn’t delay or prevent in any way the improvements and development of the surrounding area. We are supportive of the development to come!

City Staff Response: The Subject Property is surrounded on three sides by properties owned by the City's Economic Development Authority (EDA), which are intended for the future creation of new, walkable blocks and development within the Opportunity Site. As is contemplated in the Council-adopted Infrastructure Framework, John Martin Drive, on which the Subject Property abuts, is identified as a future "Main Street" and the Framework identifies a future potential Garden Street that would run perpendicular to John Martin Drive and generally between the Subject Property and EDA-owned 5939 John Martin Drive. These properties are currently served by a single, shared driveway.

There are no proposed major alterations to the exterior of the building, other than what already exists. City staff did convey that as this is a shared driveway with a property line running down the middle of the drive aisle, that there was a concern that vehicles would park in the parking spaces located directly across from the bay doors and as had occurred in the past when Tires Plus was still in operation.

The Applicant noted in their application summary that in showing the property to the proposed tire installation shop and detailing operator, they conveyed that no staff or customers would be allowed to park on EDA property and as part of the lease agreement. The Applicant further indicates that no new improvements are needed as the space was previously utilized as an automotive repair shop by Tires Plus.

- e. Adequate measures have been or will be taken to provide ingress, egress, and parking so designed as to minimize traffic congestion in the public streets

Applicant Response: Our parking is shared with the restaurant next door and we have more than adequate parking on site. The restaurant has an extremely high volume of take-out and catering instead of dine in and therefore parking is plentiful. We are not a high-volume customer business so therefore don't require a whole lot of parking.

City Staff Response: As noted above, the Subject Property and neighboring EDA-owned 5939 John Martin Drive share a common driveway and easements off John Martin Drive. No secondary access points are available for either property. As no exterior modifications are proposed, it is expected that there would be minimal to no traffic congestion in the public streets (John Martin Drive).

As there are 6 automotive bay doors located some distance back from John Martin Drive and an assumed 15-30 customers per day, City staff has minimal concerns of potential traffic congestion in the public streets given there are 80 existing parking spaces. As a typical customer would park their vehicle in the main lot before proceeding to the main entry and waiting area located on the north end of the building, there should be no queuing of vehicles in front of the bay doors.

- f. Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses

Applicant Response: Our business is a "softer" and less intrusive than the previous Tires Plus as we don't do any car repairs or maintenance. We only do tire replacement and interior car cleaning. We are quieter and cleaner on site and don't believe will cause any problems with our

hours or noise complaints. Our hours are: M-F 9 a.m. to 8 p.m. and Saturday 10 a.m. to 6 p.m.

City Staff Response: The proposed hours of activity are generally in line with the hours outlined by the former Tires Plus, with the exception that the proposed tenant would not operate on Sundays.

With respect to potential noise, it is assumed that noise levels would be similar to that of the former tenant. It is expected that there would be occasional noise from equipment typically found in an automotive shop (e.g. air compressors, impact wrench) and for the auto detailing, any vacuuming for interior cleanings.

City staff has requested that the Applicant and Property owner address the current site lighting as it is non-compliant or missing.

- g. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Applicant Response: Our shop would be a great complement to this area and future development. A major complaint of our customers is the fact that they don't have any restaurants or places to shop near where they are waiting for cars. Instead we have to provide them loaner vehicles to go out and get something to eat/drink. Essentially, we could keep the customers here and spend more money next door at the restaurant while they wait for their cars. Lifting spending and businesses in the area together.

City Staff Response: The proposed use of a tire installation and repair shop and auto detailing business is substantially similar to the former Tires Plus that had been located in this space for around 30 years. Although City staff is generally supportive of designing developments to increase the overall pedestrian friendliness of the Subject Property, and to align with the overall mission of the Transit-Oriented Development District and Opportunity Site Framework (2021), there are no plans at this time to make any major modifications to the Subject Property and the proposed use is a listed "conditional use" in the TOD District.

The Applicant and Property Owner is aware of their location within the Opportunity Site and is prepared to re-evaluate usage on the Subject Property if any when the properties around them are redeveloped but are wanting to re-fill their vacant space in the meantime. As the proposed use is not an "unknown" for the fact a similar type business co-existed with the adjacent restaurant and buffet for years, the Applicant indicated that this would likely provided the most realistic path for re-filling the space. The Applicant further acknowledged that the proposed use would provide additional foot traffic to neighboring restaurants next door and at Shingle Creek Center (to the north) as customers wait for their vehicles to be serviced.

ANTICIPATED PERMITTING AND CONDITIONS

City staff recommends the following conditions be attached to any positive recommendation on the approval of Planning Commission Application No. 2024-003 for the Subject Property located at 5927 John Martin Drive and for issuance of a conditional use permit to operate a tire installation and auto detailing business:

1. The Applicant and Property Owner shall adhere to the provisions as outlined under

Section 35-7700 (*Conditional Use Permit*), and shall coordinate with City staff to file a copy of the City Council resolution approving the requested conditional use permit for the tire installation and auto detailing shop, along with a legal description of the Subject Property for which the permit was issued, and list of any conditions set forth by City Council as a condition of said conditional use permit. A certified copy shall be recorded by the Applicant with the Hennepin County Recorder-Registrar of Titles within 60 days of approval of said resolution.

- i. No auto detailing work shall take place in the parking lot or drive areas.
 - ii. Per Section 35-4303 (*Non-Residential Uses*), motor vehicles which are being serviced may be parked in an appropriate outdoor location on the Subject Property for a maximum period of 48 hours at any one time.
2. Any major changes or modifications made to the approved Site and Building Plan, and as outlined within the City Code, can only be made by an amendment to the approved Site and Building Plan as approved by the City Council.
 - i. Applicant and Property Owner shall work with City staff to provide exterior site lighting in accordance with Section 35-5400 (*Exterior Lighting*).
 - ii. Applicant and Property Owner shall work with City staff to address the filling of any potholes located within the parking lot and shared drive areas, and any re-striping shall comply with Section 35-5504 (*Parking Space Standards*) and Minnesota Accessibility Code provisions.
 - iii. The existing trash enclosure located at the south end of the Subject Property shall be removed as it is in poor condition. Should a replacement enclosure be required, the Applicant and Property Owner shall work with City staff to ensure the enclosure fully screens any dumpsters, meets setback requirements, and utilizes fully opaque screening.
3. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.
 - i. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance.
 - ii. Any outside tire storage shall be screened and in compliance with Minnesota Building and Fire Code standards.
4. The Applicant and proposed tenant shall coordinate with the Minnesota Pollution Control Agency (MPCA) and Hennepin County Hazardous Waste for any requirements relating to the tire installation and auto detailing shop, including, but not limited to: reinstallation of sand and oil interceptor, trench drains, etc.
5. The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding) and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.

RECOMMENDATION

Based on the above-noted findings, City Staff recommends the Planning Commission recommends City Council approval of Planning Commission Application No. 2024-003 for approval of a conditional use permit (CUP) for a tire installation and auto detailing shop at 5927 John Martin Drive, subject to the Applicant complying with the Approval Conditions.

ATTACHMENTS

Exhibit A – Planning Commission Application No. 2024-003 Plans and Documents, submitted April 9, 2024.

Exhibit B – Public Hearing Notice, submitted for publication in the Brooklyn Center *Sun Post*, and dated April 25,

2024.

Exhibit C – Interior Floor Plans and Approval Documentation for Former Tires Plus space, and Site Plan for Subject Property (1991).

Tire Replacement and Auto Detailing and Cleaning

Additional information:

Hours of operation:

Monday - Friday 9am - 8pm

Saturday 10am - 6pm

Employ 6 people at max shift

Expected to have 15-30 customers/day depending on weather combine between the tires and car cleaning together.

Lots of our previous customers want a place to eat/drink while they wait for their vehicles. This would definitely help bring more customers next door to the restaurant. We are closed earlier on weekends so would be out of the restaurant's way on weekends when they are busier. Even our staff would enjoy the close restaurant next door for lunch. Talking to the restaurant next door, they further verify that this was true and common back when Tires Plus was open. They are extremely supportive of another tire shop opening next door.

After Tires Plus closed down December 2022, we had removed all the hoist and had the trench drains filled-in because our preference of filling the space was for retail. Unfortunately, after a full year of searching for prospective tenants, we realized that over 95% of the inquiries for this space is for auto repair and service. There were several other interested parties like a pallet recycling warehouse, cannabis dispensary, car graphics shop, motorcycle shop, and night club. We don't feel any of these tenants are a good fit for us. Due to the extended search for the optimal tenant, our initial CUP for autoshop expired. We are realizing that at this point in time we don't have the luxury of being able to pick the perfect retail tenant. We finally decided that realistically this space was gonna be vacant or another auto user at this point in time. Rather than having another vacant space in this area of the city, having a service-based tire shop would complement our restaurant neighbor next door. We came across Joanes which used to own the Affordable Tires. He seemed upbeat on the area and was looking for a new space for his business as the old one was sold. This is a successful business he operated in the past and wanted a bigger location. We felt he is a good fit for this space as he has experienced, a good crew, and already established loyal customers. Therefore after over a full year of searching we are back here requesting to have our CUP approved as a auto tire shop again.

We understand that the city owns the property next door to ours and have concerns on our customers parking there. At our first showing with Joanes we have stated clearly to him that those parking spaces are not ours and absolutely no staff or customers we be allowed to park there. Furthermore, we will incorporate that into our lease as well as to not be a nuisance to neighbors or city resource.

There are no improvements required for the new tire shop as this was previously occupied by Tires Plus so as-is this space is already perfectly fitted for the tire shop and car cleaning service. Joanes will just need to bring in their own furniture and equipment. We could update some of the lighting on the building to better illuminate the parking lot.

Please provide responses on each of the following criteria as outlined under Section 35-7703 (*Conditional Use Permit Criteria*):

SECTION 35-7703 CONDITIONAL USE PERMIT CRITERIA. A conditional use permit may not be granted by the City Council unless the following criteria have been satisfied:

- a. The conditional use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and this UDO

The tire shop and car detailing would fit the objective because it's a service-based business that would ultimately help bring people to the area to eat/shop in the area.

- b. The establishment, maintenance, or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals, or comfort

The tire shop and car detailing would help provide 6 jobs locally. The owner previously owned and operated the Affordable Tires for numerous years and have the experience to ensure the site would be operated in a clean, safe, and responsible manner.

- c. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood

Tires Plus was previously operating at this site for over 20 years and closed down post Covid due to labor shortages. Them being here definitely help kept this forgotten portion of Brooklyn Center alive. Having a successful business in this corner of the city would help property values in the area versus having another vacant building that is both an eye sore and contribute to declining property values in this area.

- d. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district

Our shop wouldn't delay or prevent in any way the improvements and development of the surrounding area. We are supportive of the development to come!

- e. Adequate measures have been or will be taken to provide ingress, egress, and parking so designed as to minimize traffic congestion in the public streets

Our parking is shared with the restaurant next door and we have more than adequate parking on site. The restaurant has an extremely high volume of take-out and catering instead of dine in and therefore parking is plentiful. We are not a high-volume customer business so therefore don't require a whole lot of parking.

- f. Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses

Our business is a "softer" and less intrusive than the previous Tires Plus as we don't do any car repairs or maintenance. We only do tire replacement and interior car cleaning. We are quieter and cleaner on site and don't believe will cause any problems with our hours or noise complaints. Our hours are: M-F 9am – 8pm & Saturday 10am – 6pm.

- g. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located (Transit-Oriented Development/TOD District)

Our shop would be a great complement to this area and future development. A major complaint of our customers is the fact that they don't have any restaurants or places to shop near when they are waiting for their cars. Instead we have to provide them loaner vehicles to go out and get something to eat/drink. Essentially, we could keep the customers here and spend more money next door at the restaurant while the wait for their cars. Lifting spending and businesses in the area together.

**CITY OF
BROOKLYN CENTER
NOTICE OF
PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on Thursday, May 9, 2024 at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: <https://www.brooklyncentermn.gov/>. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST:

Conditional Use Permit

APPLICANT | Property Owner:

Lin Shuang LLC

PROPERTY ADDRESS | PID:

5927 John Martin Drive,
Brooklyn Center, MN 55430 |
02-118-21-21-0015

BRIEF STATEMENT OF CONTENTS OF PETITION:

The Applicant is requesting issuance of conditional use permit to allow for a tire installation and auto detailing shop at the Subject Property. Tires Plus was a long-term tenant of the Subject Property until 2022 when they closed. As the use was abandoned for a period greater than 12 months, the use was abandoned. A conditional use permit is therefore required per Section 35-7700.

Comments and questions may be forwarded to gmcintosh@brooklyncentermn.gov up until 4:30 pm on the day of the meeting, or by contacting Ginny McIntosh at (763) 569-3319. Your comments will be included in the record and addressed as part of the meeting. Alternatively, you may participate in the Planning Commission meeting via Webex at: logis.webex.com

Meeting Number (Access Code):

2630 082 8737

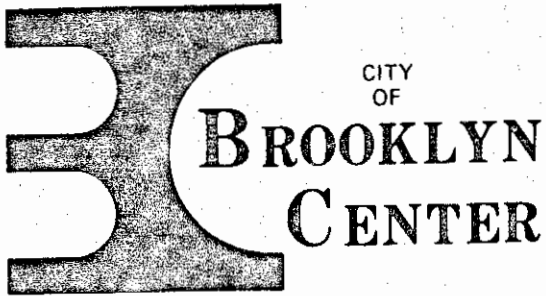
Password: BCPC05092024

By Phone: 1 (312) 535-8110

(Enter Access Code)

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

Respectfully,
Ginny McIntosh
Planning Manager



6301 SHINGLE CREEK PARKWAY
BROOKLYN CENTER, MINNESOTA 55430
TELEPHONE 561-5440
EMERGENCY - POLICE - FIRE
911

INSPECTION DEPT - PLAN REVIEW

JOB NAME TIRES PLUS
ADDRESS 5927 John Martin Drive
OWNER/TENANT Condura Tire Corp. PHONE _____
ARCH/ENG Arch Plus PHONE 612-333-6713
CONTRACTOR Varley Construction PHONE (507)334-6034
PROPOSED USE Retail

CERTIFICATE OF OCCUPANCY REQUIRED Yes ARCHITECT SIGNATURE 9898 Yes

1. Occupancy Classification B-1
2. Area of building/space 3,700 Sq. ft.
3. Construction type II-N
4. Basic allowable area _____ Open area _____ Sprinklers _____
Total allowable floor area _____
5. Number of stories or height 1 Allowable _____
6. Sprinkler system required Yes
7. Valuation 70,000
8. Occupant load 49 Density _____
9. Number of exits required 2

10. Comments

1. Stairs, handrails, ramps and guardrails must comply with UBC Req. - 44" wide max. 7" rise, min. 11" run, handrails both sides.
2. Doors E100A & E100B must have locks which comply with UBC 3304 (c)
3. Detail 3/A2 - Add vertical Grab bar per state handicapped rules - typical both toilet rooms
4. Rooms 102,103 - shall have ceramic tile floor and wall covering at all areas. Tile must extend 4' high on walls.
5. Trench drain shall drain to an approved flammable waste trap UBC 702(b).





**CARDINAL
DEVELOPMENT
CORPORATION**

September 23, 1991

Mr. Ronald A. Warren, Director of Planning & Inspection
Mr. Gary Shallcross, Planner
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Gentlemen:

re: Proposed site for Tires Plus at 5927 John Martin Drive
Our client: Condura Marketing Corporation / Tires Plus

Tires Plus, a division of Condura Marketing Corporation, The Condura Tire Groupe, is a 37 unit group of tire stores located throughout the upper midwest. There are both franchised and company operated stores with several additional units currently under development.

The stores have evolved from their original locations which were converted service stations to the current generation of modern, state of the art facilities which are built to, or converted to, Tires Plus exacting specifications.

The facilities are intended to be modern, clean, well lit, attractive, efficiently operated stores that will be a place that all potential customers, men and women, young and old, will be comfortable visiting. The remaining older, non-conforming units are being converted to this standard as quickly as contractual commitments and financial constraints permit.

The proposed location, in part of the former Burger Brothers Building on John Martin Drive, will be a replacement for the old location at 69th and Brooklyn Boulevard. That was the original Tires Plus store and is a converted service station. It does not bear any resemblance to the current generation of stores, such as the location at Winnetka Commons in New Hope or on Cliff Road just west of I-35E in Eagan.

Tires Plus operation is different from that of other recognized major brand tire stores. Only tires, batteries and wheel related items are sold, with the only service work being the installation and service related to those items, such as alignments, brake work, etc. Because of this limitation, the average customer is only on the premises for a very short period of time, usually under one hour. This means that, unlike most service garages, customers tend to wait for their cars. They may visit a neighboring restaurant or retailer while the car is being serviced, but they do not normally drop off their car and leave it all day.

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BROOKLYN CENTER

Page 2 - September 17, 1991 - Mr. Warren - Mr. Shallcross

At the proposed site, customers will be directed to park their cars in the area in front of the building. This will be the logical place for them to park as the only customer entrance will be through the main building lobby located at the center of the front side. As is the policy at all Tires Plus locations, only company personnel are allowed to drive vehicles into or out of the service bays.

The number of employees on duty at one time will range from a minimum of two up to a maximum of six. The planned hours of operation are 7:00 AM - 9:00 PM Monday through Friday, 7:30 AM - 5:00 PM Saturday, and 10:00 AM - 5:00 PM on Sunday.

This location is large enough to ensure that all work will be done inside the service bays, and it is understood that will be a city requirement. There is also sufficient inside storage to handle all the inventory of tires and batteries. Total inside tire storage capacity will be 2400 tires which is over 3 times the total storage capability at the old location, and considerably larger than is available at most of the newer stores.

Trash and junk tires will be handled through the trash storage facility to be constructed adjacent to the existing loading dock at the rear of the building. As indicated in the plans, this will be built to be compatible with the existing building. There will be two areas in the facility, one for regular trash, and one for recyclable materials such as tires. These will be picked up on a schedule that will ensure that the capacity of the enclosure is not exceeded. The junk tires are, in accord with State law, sent to a recycler and are currently being used to fuel a Wisconsin paper mill.

Tires Plus understands that all signs and displays on the premises must be in accord with the ordinances of the City of Brooklyn Center.

Tires Plus looks forward to providing the residents of the area with a new, modern facility where they can continue to obtain tires and batteries, with the quickest service, at the lowest prices.

If you have any further questions, or need any additional information, please call me.

Yours truly,



J. M. Dimond

JMD:ms

cc: Don Gullett
Patricia A. Weller

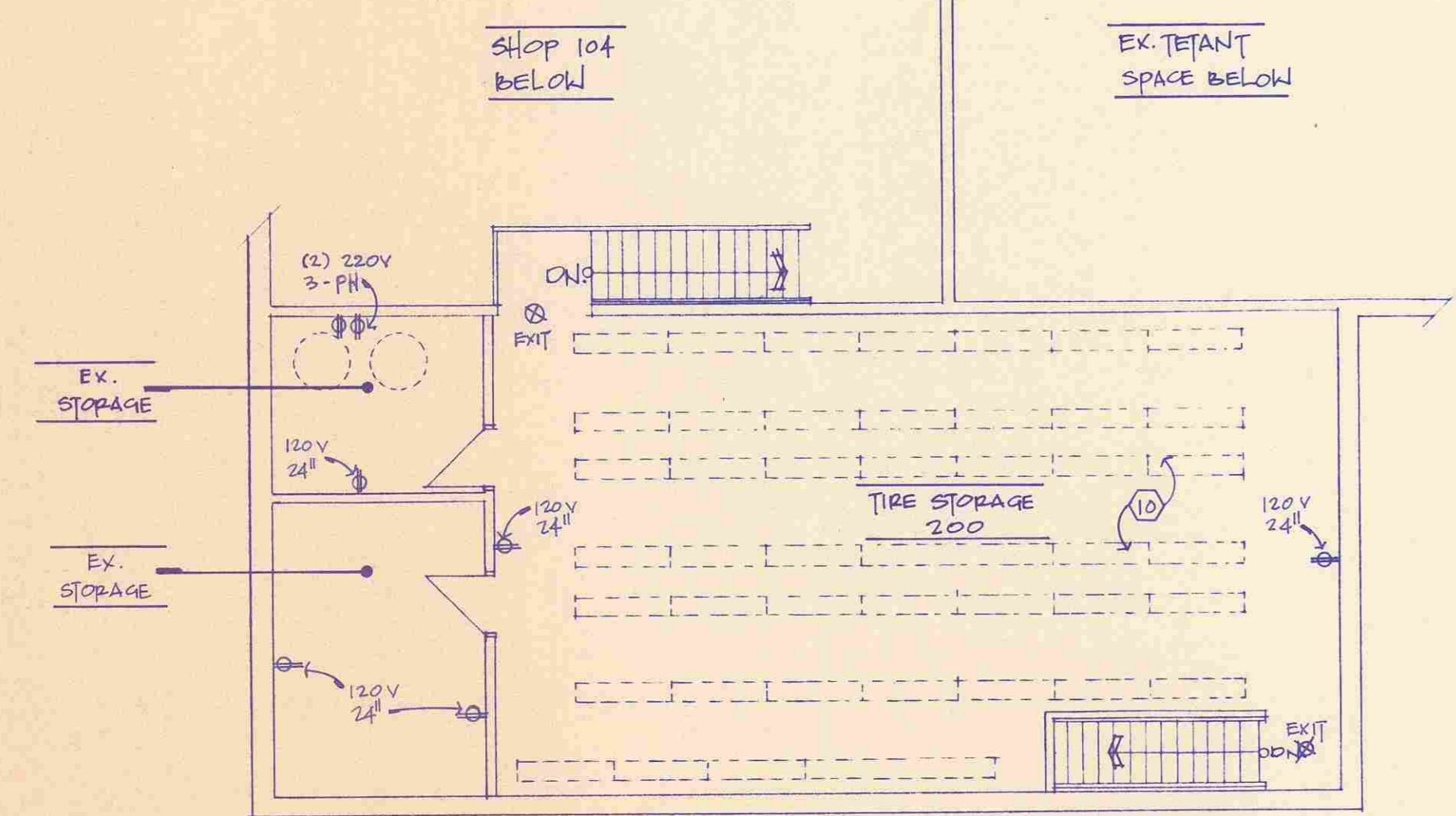
DESIGNED
 DRAWN JB
 CHECKED
 PROJECT 499
 REVISIONS

Date

NOV 20 1991

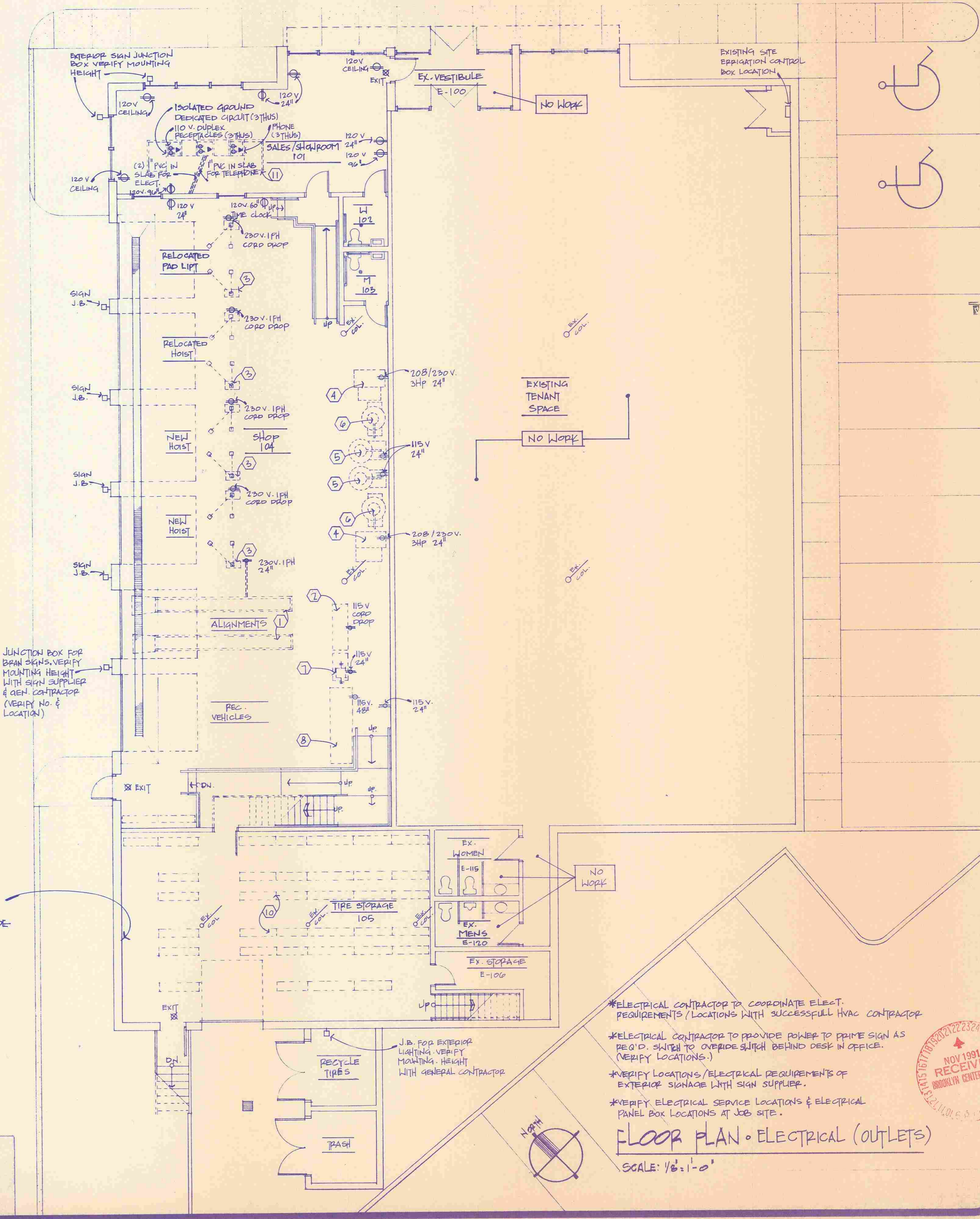
TIRES PLUS
 BROOKLYN CENTER, MN
 architects plus
 12 n.e. third st.
 faribault, minn.
 612/333-2221 55021

- EQUIPMENT LIST**
- TIRES PLUS, BROOKLYN CENTER, MN
- 1 NUSSBAUM-UNI-LIFT 3000 (ALIGNMENT RACK)
1-PHASE, 230 V-60 HZ (RELOCATED)
 - 2 HUNTER ALIGNMENT SCREEN SYSTEM (RELOCATED)
D-111 (MOBILE) 115V, 1-PHASE 60 HZ
(REQUIRES DEDICATED CIRCUIT)
 - 3 NUSSBAUM-STL 7000 (CAR HOIST)
3-HP MOTOR, 1-PHASE, 230V, 60HZ.
11'-11" HEIGHT (SEE PLAN FOR NEW/RELOCATED HOISTS)
 - 4 HOFFMAN-GEODYNA 45 (TIRE BALANCER)
DRIVE MOTOR: 1 HP 1720 RPM, TEFC
POWER REQUIREMENTS: 208/230V, 3-PHASE
60 HZ, 20 AMPS
POWER SUPPLY CONNECTOR: 208/230V, 3-PHASE
NEMA TYPE L15-30 (RELOCATED)
 - 5 MONTY 32 (TIRE CHANGER) (RELOCATED)
115 V, 1-PHASE, 60 HZ, 6.5 AMPS
DRIVE MOTOR: 1 HP, 1720 RPM
AIR SUPPLY: 115 TO 213 PSI
 - 6 FMC 7600 SERIES (TIRE CHANGER) (RELOCATED)
AIR SUPPLY: 120 TO 180 PSI
 - 7 HOFFMAN 660 (BRAKE LATHE) 115V, 1-PHASE,
60 HZ 13 AMPS
MOTOR: 1 HP, 1725 RPM
FEEDER GEAR MOTOR: 115 AC/DC 1/15 HP
(RELOCATED)
 - 8 WORKBENCH (8' LONG x 3' WIDE) SUPPLY 120V
RECEPT. WITH BENCH (RELOCATED)
 - 9 INDUSTRIAL AIR COMPRESSOR (2 THUS) (RELOCATED)
MOTOR: 5 HP, MODEL #0523E80Y
CFM DISPLACEMENT: 22.2
ACFM: 100 PSI/18.2 175 PSI/16.4
TANK SIZE GALLONS: 80
NO. OF CYLINDERS: 2
COMPRESSOR RPM: 792
ELEC. REQUIREMENT: 230/460, 3 PHASE
SHIPPING WEIGHT: 575 LB.
 - 10 TIRE STORAGE RACKS PROVIDED BY
SUPPLIER. INSTALLED BY TIRES PLUS
EMPLOYEES.
 - 11 SHOWROOM COUNTER PROVIDED BY TIRES
PLUS INSTALLED BY GENERAL CONTRACTOR/ELEC.
BY ELEC. CONTRACTOR
- RELOCATE EXISTING TELEPHONE, COMPUTER, FAX AND ELECTRONIC DATA TRANSMISSION SYSTEMS AS REQUIRED.



MEZZANINE PLAN - ELECTRICAL (OUTLETS)
 SCALE: 1/8" = 1'-0"

These plans are diagrammatic in nature only. Their intended use are for bidding only. Successful contractor to provide certified plans and verify all installation conditions and dimensions.



- *ELECTRICAL CONTRACTOR TO COORDINATE ELEC. REQUIREMENTS/LOCATIONS WITH SUCCESSFUL HVAC CONTRACTOR
- *ELECTRICAL CONTRACTOR TO PROVIDE POWER TO PRIME SIGN AS REQ'D. SWITCH TO OVERRIDE SWITCH BEHIND DESK IN OFFICE. (VERIFY LOCATIONS.)
- *VERIFY LOCATIONS/ELECTRICAL REQUIREMENTS OF EXTERIOR SIGNAGE WITH SIGN SUPPLIER.
- *VERIFY ELECTRICAL SERVICE LOCATIONS & ELECTRICAL PANEL BOX LOCATIONS AT JOB SITE.

FLOOR PLAN - ELECTRICAL (OUTLETS)
 SCALE: 1/8" = 1'-0"

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 BROOKLYN CENTER, MN

DIAGRAMATIC ELECTRICAL (OUTLETS)

SULLIVAN CO. 861541

DESIGNED	DJM
DRAWN	JB
CHECKED	DJM
PROJECT	499
REVISIONS	
14 NOVEMBER 1991	

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered architect under the laws of the State of MINNESOTA.

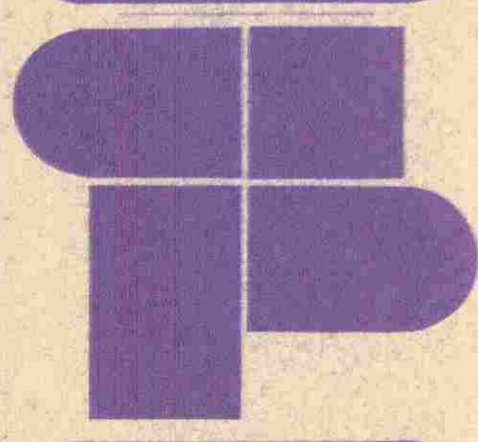
ARCHITECTURAL ONLY
[Signature]
 Reg. No. 9898
 Date NOV 14 1991

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 (STRUCTURAL ONLY)
 Henry W. Voth
 Reg. No. 15247
 Date 11-19-91

LARSON ENGINEERING OF MINNESOTA
 3524 Labore Rd.
 White Bear Lake, MN 55110
 612/481-9120

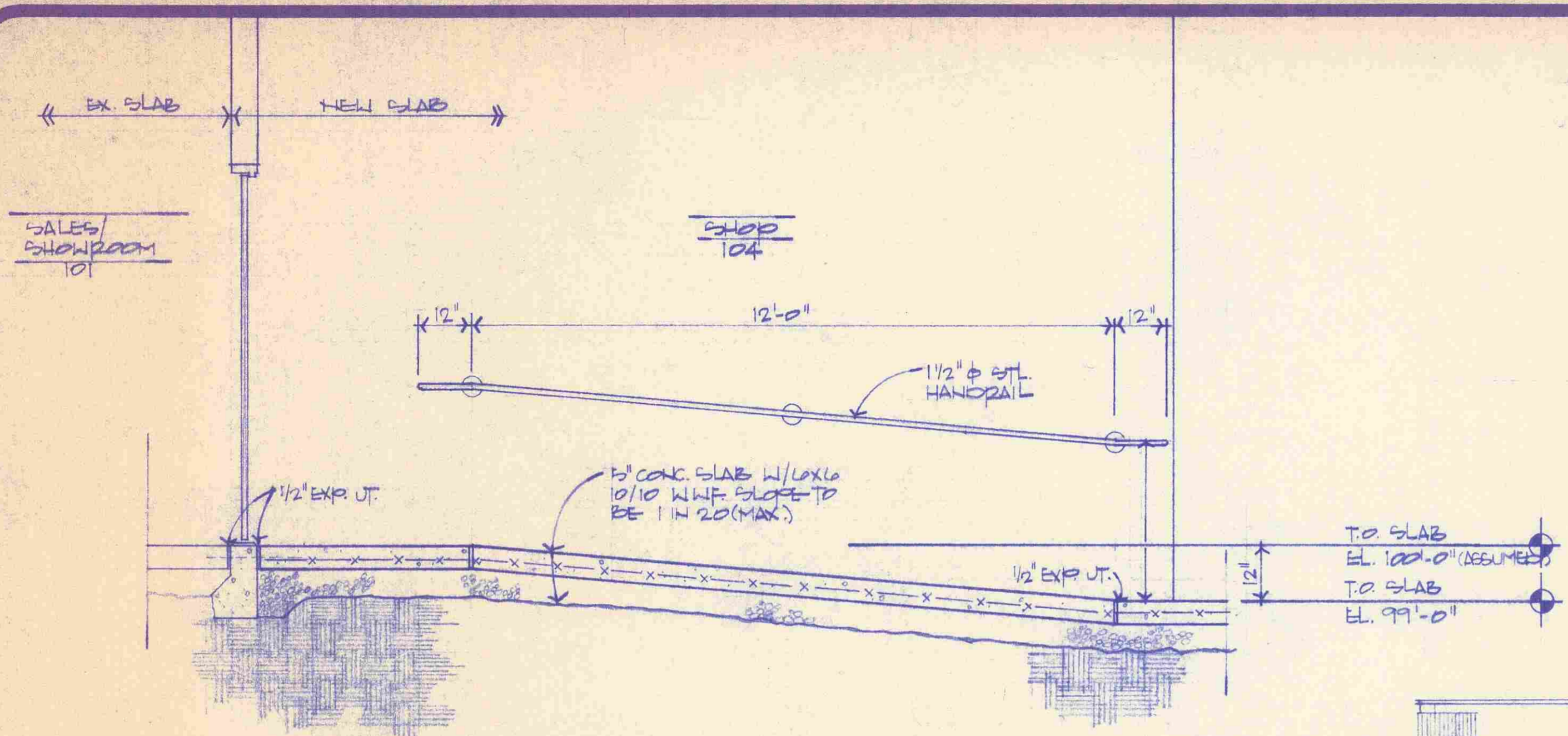
TIRES PLUS
 BROOKLYN CENTER MINNESOTA

architects plus
 12 n.e. third st.
 faribault, minn.
 507/334-2251 55021

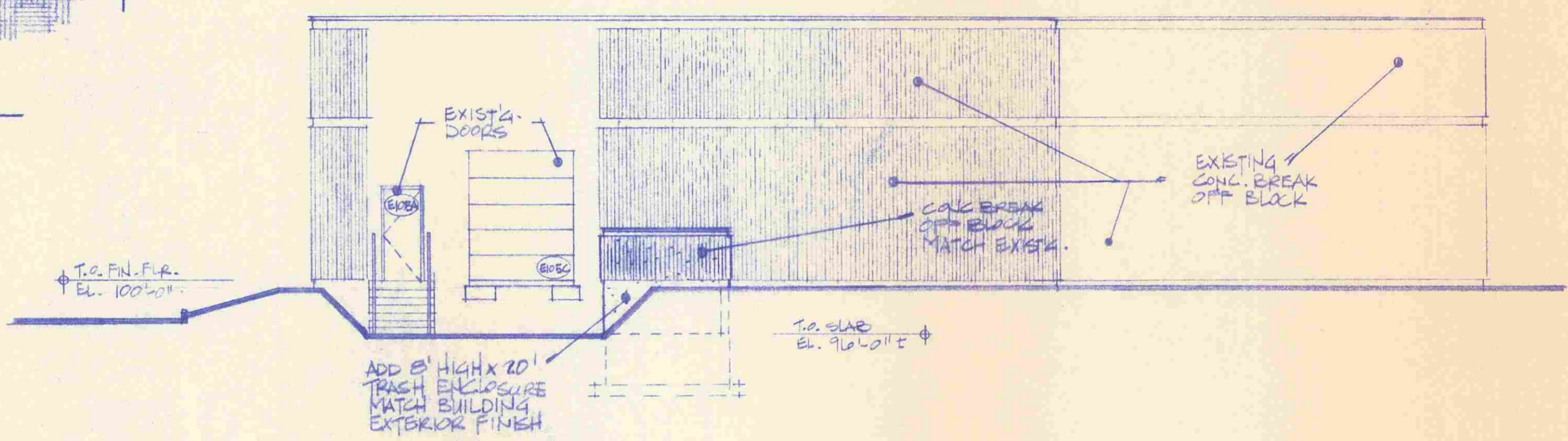


EXTERIOR ELEVATIONS

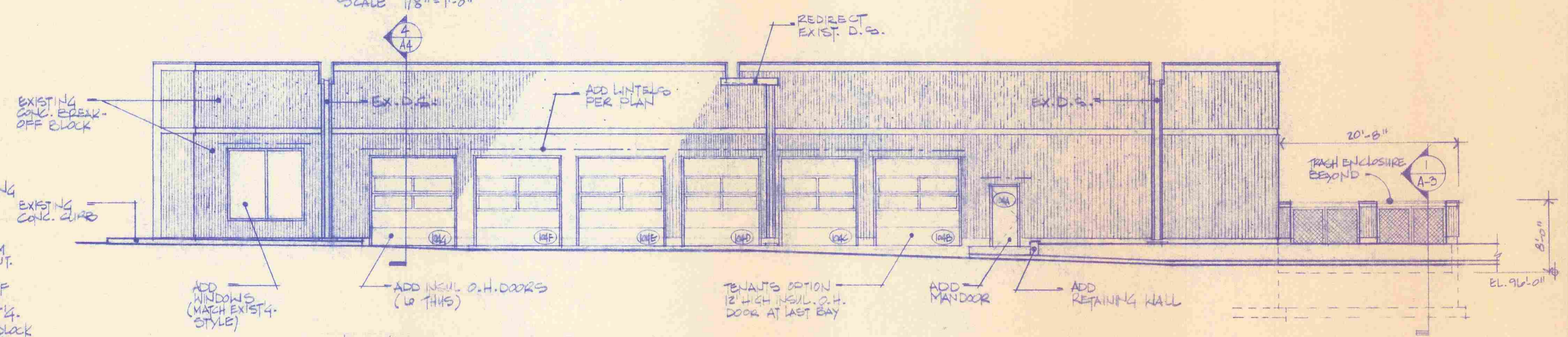
A-3



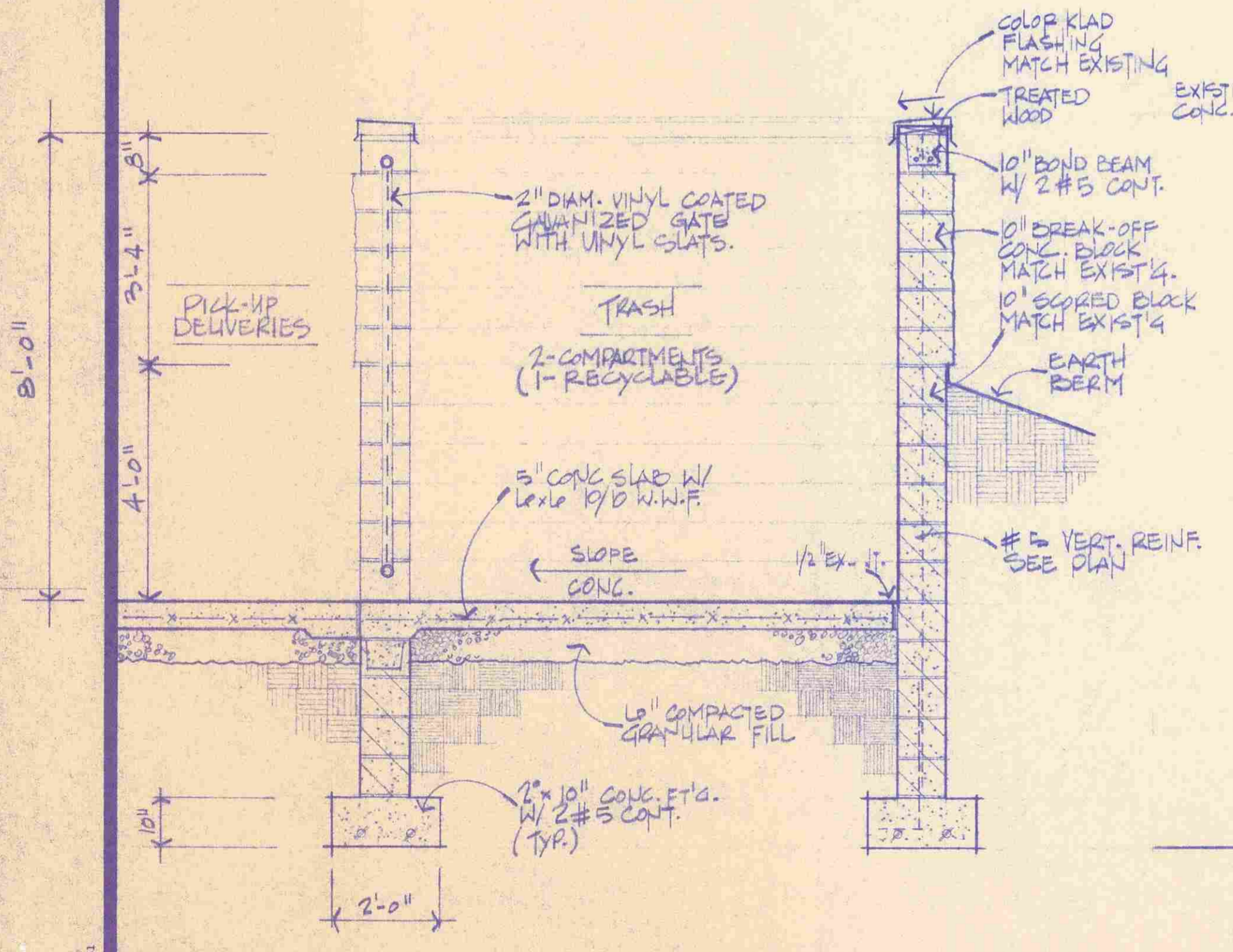
SECTION @ INTERIOR RAMP
 SCALE: 1/2" = 1'-0"



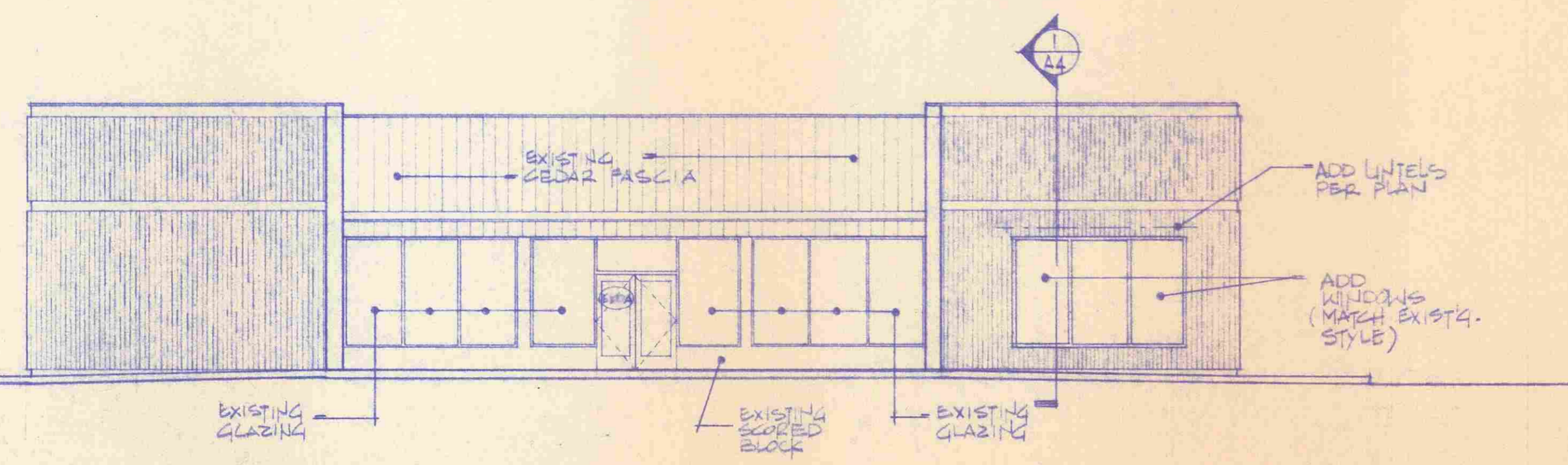
SOUTHWEST ELEVATION
 SCALE: 1/8" = 1'-0"



NORTHWEST ELEVATION
 SCALE: 1/8" = 1'-0"

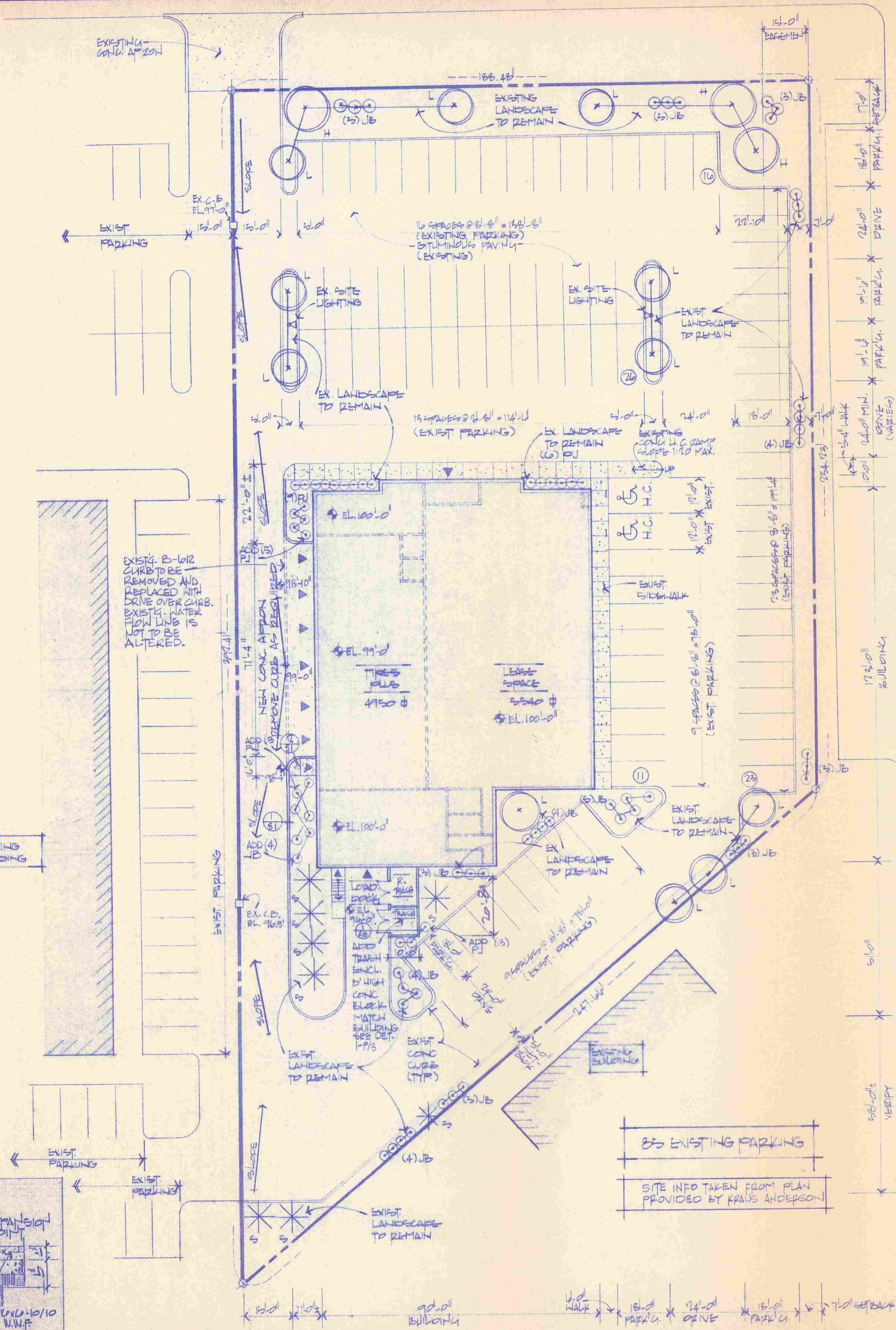


SECTION THRU TRASH ENCLOSURE
 SCALE: 1/2" = 1'-0"



NORTHEAST ELEVATION
 SCALE: 1/8" = 1'-0"

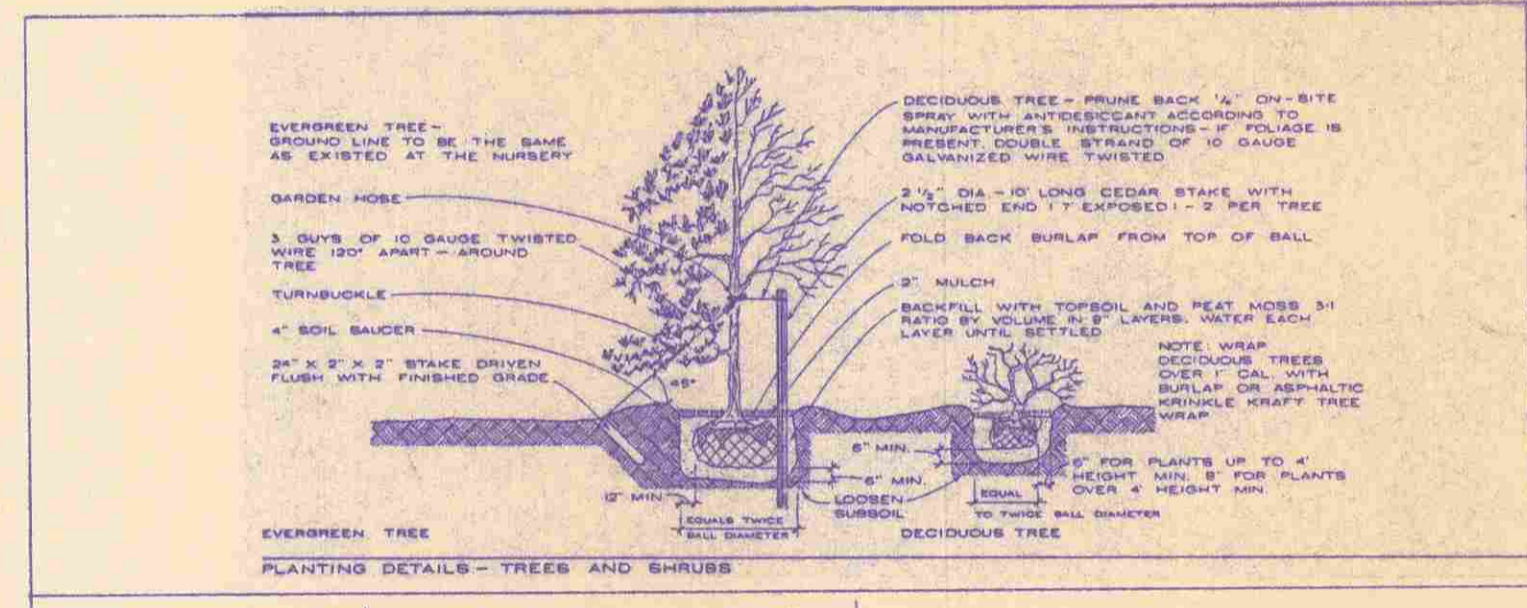
REPLACES CO. 8/13/91



PLAN REVIEW RECORD
P.C.# 91019

P/I DEPT. _____
City Planner: Gary Shallem Date: 11-22-91
Bldg. Off. _____ Date: _____
Plbg. Insp. _____ Date: _____
HVAC Insp. _____ Date: _____
Fire Sprinkler _____ Date: _____

Engineering _____ Date: _____
Fire Dept. _____ Date: _____
Sanitarian _____ Date: _____

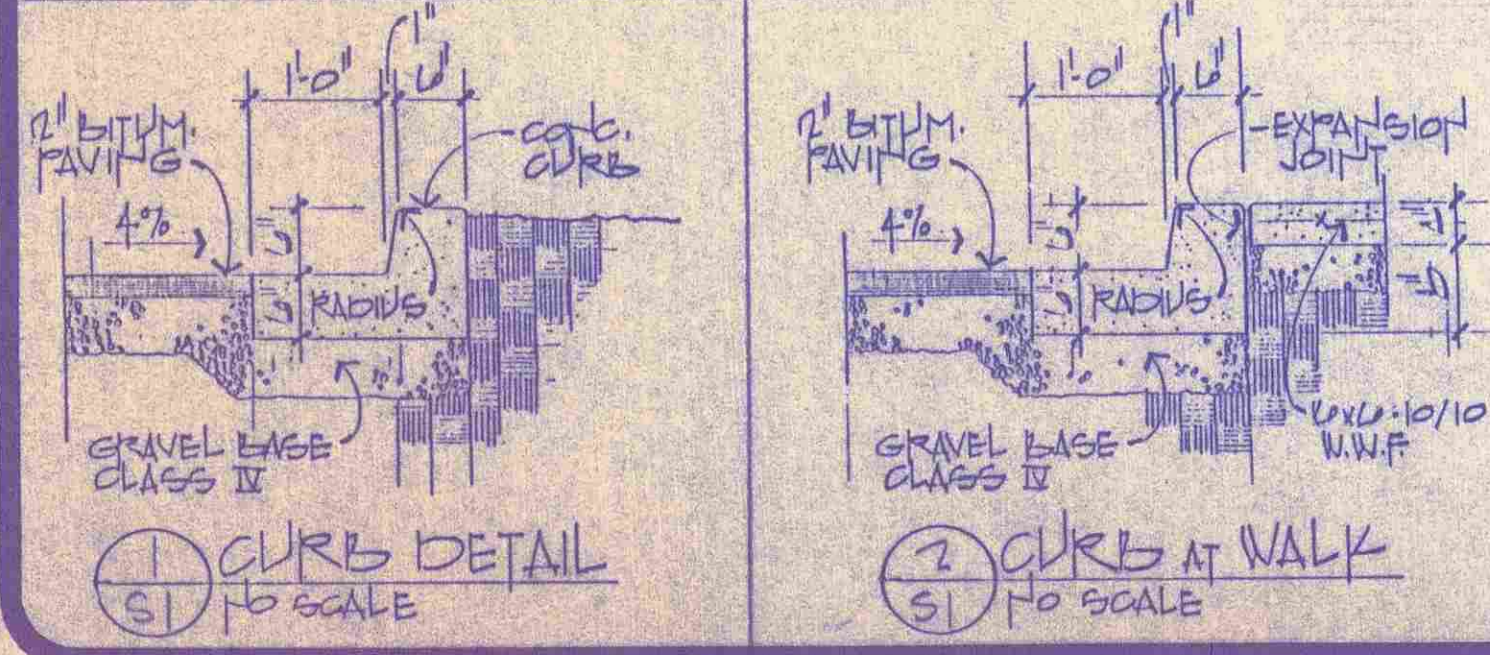


- PLANTING NOTES**
1. Landscaping contractor to verify/mark all utility locations prior to beginning work.
 2. Rough grading/topsoil min. depth of 3". Sod areas to be graded within 1 1/2" of fin. grade. Planting beds to be graded within 3" of fin. grade.
 3. Landscape contractor to verify all conditions and dimensions.
 4. All planting material shall comply with sizing and grading standards of the latest edition of "American Standard for Nursery Stock". Must meet min. size indicated in the above schedule.
 5. Sod shall be nursery grown blend of improved Kentucky Bluegrass free of insects, disease, weeds, undesirable grasses and extraneous material. Contractor to water sod at time of installation and roll to a smooth surface. Stake sod all slopes of greater than 3:1.
 6. Landscape contractor shall be responsible for maintaining all plant stock and sod until acceptance of work by architect or owner.
 7. Landscape contractor to guarantee all plant material to remain alive and healthy for a period of one year after completion and acceptance by architect or owner and agree to replace/remove at no cost to owner all plant material determined to be unsatisfactory by architect or owner at the time of installation and/or end of guarantee period.
 8. Irrigation of sod areas to meet all city requirements. Drawings to be provided by successful irrigation contractor.

LANDSCAPE SCHEDULE

LEGEND	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	POINTS	REMARKS
H	3	HACKBERRY	CELTIS OCCIDENTALIS	2 1/2"-3"	10/30	EXISTING
L	11	SKYLINE LOOUST	GLEDITSIA TRIACANTHOS 'SKYLINE'	2 1/2"-3"	10/110	EXISTING
S	8	BLACK HILLS SPRUCE	PICEA GLAUCA DENSATA	3 1/2"-4"	6/48	EXISTING
PJ	19	PIITZEN JUNIPER	JUNIPER CHINENSIS PEITZERIANA	18"-24"	.5/9.5	EXISTING
JB	38	JAPANESE GREEN LEAF BARBERRY	BERBERIS THUNBERGI	18"-24"	.5/19	EXISTING
JB	4 (Add)				.5/2	NEW
TOTAL					224	

1.55 ACRES DETAIL SERVICE GATE = 1.55 x 80 = 108 POINTS
 REQUIRED = 108 POINTS
 PROVIDED = 224 POINTS



SITE PLAN
SCALE: 1"=10'-0"

SITE AREA = 59,043 SQ. FT. (1.35 ACRES)

DESIGNED DJM
 DRAWN SJK
 CHECKED DJM
 PROJECT 1999
 REVISIONS
 14 NOVEMBER 1991

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered architect under the laws of the State of MINNESOTA.

Daniel Johnson
 Reg. No. 9896
 NOV 14 1991

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA (STRUCTURAL ONLY)

REG. NO. _____
 DATE _____
LARSON ENGINEERING
 OF MINNESOTA
 3524 Labore Rd.
 White Bear Lake, MN 55110
 612/481-9120

MINNESOTA
TREES PLUS
 ARCHITECTS PLUS
 12 n.e. third st. faribault, minn.
 507/334-2251
 612/333-6773 55021

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 S-1