

MINUTES OF THE ZONING COMMITTEE
Thursday, August 27, 2015 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Nelson, Padilla, Reveal, and Wencil
EXCUSED: Edgerton, Makarios, Merrigan, and Wickiser
STAFF: Bill Dermody, Samantha Langer, and Allan Torstenson

The meeting was chaired by Commissioner Nelson.

Joan Bassing - 15-138-295 - Reestablishment of nonconforming use as a triplex, 900-902 Jenks Ave, between Forest and Mendota

Commissioner Padilla explained that the Zoning Committee moved to deny this application on July 30, 2015. The Planning Commission referred the case back to the Zoning Committee at their August 7, 2015, meeting after learning the applicant wished to be present and speak regarding the application. They were out of town at the time of the public hearing.

Bill Dermody stated staff recommendation remains denial for the reestablishment of nonconforming use permit. Additional information has been received since the July 30 Zoning Committee meeting, and the recommendation is based only on Finding 4 (a) not being met. The property was sold to the applicant as a duplex for \$72,500. It is estimated that the current value is \$109,800. District 5 recommended denial, and there was 1 letter in support, and 1 letter in opposition.

Commissioner Julie Padilla moved to reopen the public hearing. Commissioner Barb Wencil seconded. The motion passed by a vote of 4-0-0.

The applicant, Joan Bassing, 182 Spring Lake Blvd., Port Charlotte, FL, stated that the listing for the property was originally for \$45,000 because it was a foreclosure and the bank didn't check to see that it was a triplex, but it was indeed a triplex. That caused a bidding war that went from a listing of 45,000 to \$72,000. She is not selling this property. Neighbors have requested that she evaluate configurations of the property. They were not happy when it was a duplex and one of the units had five bedrooms. People with a lot of children who were not always well behaved would rent the unit. Since it was a triplex at one time she thought she could return it to that layout. She hasn't changed the structure. She has only added a refrigerator, stove and microwave in the kitchen of the third unit. The kitchen was being used as a bedroom and the cabinets were being used as dressers. The current structure has a one-bedroom, two-bedroom, and a three-bedroom unit. There are tenants occupying each unit, and they are all great. It's not the income she is looking for necessarily, she hasn't changed the rates much after making it a triplex, but she is interested in more choices for clientele. She is hoping all of her tenants will be able to remain at the property.

Upon questions from the Commissioners, Ms. Bassing stated that the tenants have been living at the property from just under a year up to multiple years. Ms. Bassing stated that the property was used as a duplex for more than one year. She stated each unit meets the minimum code requirement for square footage. The smallest unit is approximately 650 square feet. She also

noted a letter from her neighbor, Glenda Bourgoin, requesting the property remains as a triplex, and to keep the current tenants.

No one spoke in support or opposition. The public hearing was closed.

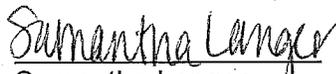
Commissioner Padilla stated she appreciates that Ms. Bassing provided some additional context and she is sympathetic to the neighbor's desires, but there is a clear code requirement that is not met.

Commissioner Julie Padilla moved denial of the reestablishment of nonconforming use permit. Commissioner Elizabeth Reveal seconded the motion.

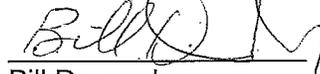
The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Bill Dermody
Zoning Section

Approved by:


Gaius Nelson
Chair

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Stone House Tap Room - 15-143-784 - Historic use variance for a tap house / microbrewery with food service, 445 Smith Ave N, between Goodrich and McBoal

Stone House Tap Room – 15-143-968 – Side and rear setback variances, 445 Smith Avenue N

Stone Saloon Parking – 15-146-534 – Variance to allow the corner of a parking space to be set back 4 inches from a public sidewalk at 444 7th Street W.

Bill Dermody presented the staff reports with a recommendation of approval with conditions for the historic use variance (HUV), side and rear setback variances, and variance to allow the corner of a parking space to be set back 4 inches from a sidewalk. District 9 recommended approval for each case, and there were 59 letters and a petition with 42 signatures in support, and 7 letters and a petition with 31 signatures in opposition.

Upon questions from the Commissioners, Mr. Dermody stated that the saloon parcel owner is proposing to lease the parking lot parcel for ten years. A lease hold interest is enough to make an application for a variance. Mr. Dermody stated that the most direct access to the saloon from the proposed parking lot would be through the alley, and there is sidewalk access along 7th Street, McBoal Street, and Goodrich Avenue. He can't confirm the lighting situation in the alley. The realistic access to the bike racks shown on the site plan is not very convenient. He stated that the project still needs to go through site plan review. The Department of Safety and Inspections (DSI) will review this issue. The bike racks alleviate the need for a parking space. He confirmed that these will be private bike racks for the business.

Commissioner Nelson questioned Finding #3 in the HUV, and how it can be partially met. It requires that the use variance should be the minimum needed and there are uses that are less intense than a saloon.

Mr. Dermody stated that this is a difficult section of code to deal with and it is a difficult finding for any project to be able to meet completely. This site was used for alcohol service or something similar in the 1850's to 1863. Since 1863 it has been a single family residence. Tax credits for historic sites require that the site is revenue producing, and that makes a single family home use difficult. Staff looked to see if there was a use that has a business element, but affects the building less. In their opinion there is, however, they still recommend approval on this application because the overall goal of the new ordinance is to encourage investment in historic properties. They recognize it's overly difficult to meet this finding the way it is written. That is why they recommended approval while recognizing this finding is only partially met.

Commissioner Padilla agreed that the finding is difficult. It's challenging to see words with least impact upon its historic character, but not really defining what that could mean. She does struggle with the fact that they are utilizing language like "this finding can be partially met". It is generally required that findings be met or not met. If this application is approved that language needs to state clearly if the finding has been met and include supporting reasons of how it is met.

Tom Schroeder, the applicant, 194 McBoal Street, Saint Paul, thanked the Committee and Bill Dermody for all of the work that went into applying this ordinance. This ordinance was prompted by this very project. He also thanked everyone in attendance, both the supporters and people with concerns. He respects everyone's views and hopes to address any concerns. He referred to a letter that was submitted stating that this area is primarily a residential block. In regards to finding 2(a) he states that the criteria looks to the surrounding area not the immediate block that the building sits on. This is by definition a mixed use area. There are a vast range of businesses in the area from the social service institutions to commercial garages to coffee shops that illustrates the mixed uses of the community. He lives about 250 feet from the Stone Saloon and has been in the neighborhood for 24 years. The finding also states this use must be compatible with existing uses. He stated other instances where establishments have been compatible with surrounding residential uses. He noted Forepaugh's, in Irving Park, as one example in Saint Paul that has been successful within a neighborhood for the past 25 years. He noted concerns from neighbors about a bar being in the neighborhood. He explained that he loves this building and it's the oldest commercial building in the Twin Cities. This will not be a sports bar. There will be no TV's, stereos, pull tabs, or liquor licenses associated with this saloon. The official licensure will be a taproom / brewery, but that does not even describe the Stone House Saloon adequately. They will not have offsite commercial distribution. The purpose of this is to create a living history example of a territorial period civil war era saloon. They will not have a full service restaurant. They are only proposing to serve cheeses, meats, pretzels, and desserts. He stated that the petition circulated in opposition overstates the seating capacity, presumes outdoor seating, and that parking may be an issue. The petition was circulated under false pretext. They will have code compliant parking if they are able to get the variance on the parking space. He stated that both zoning and HPC staff find that this is consistent with the Comprehensive Plan. He explained that at one time he considered using the structure as a violin repair shop, but because of the extreme expense it would take to bring it up to code, he decided against this option. It was not an economically viable use. He also referred to some neighbors' opposition to him moving the cottage at 447 Smith. He provided history on the structures that existed on the site. They all shared a sewer line and water feed. There was no way to gain access to utilities for the Stone Saloon unless he purchased the lots to the south. The cottage to the south has been demolished and the existing cottage will be moved 2 ½ blocks north under the Inspiring Communities Program. He also noted that some neighbors have stated that he is not a good preservationist. He finds this most heartily disappointing. He has stated numerous preservationist credentials including, but not limited to, being the President of the Preservation Alliance of Minnesota, founder of the Uppertown Preservation League and he has received the preservation award from HPC for restoring his own home. He also noted neighbors' concerns about noise and people damaging property in the neighborhood. This is so far away from his intended use of the site. He noted issues presently happening in the neighborhood and he is hoping to turn the neighborhood into a more vibrant area with the Stone

House Saloon. He is looking to change the neighborhood for the better. Mr. Schroeder stated the point of this ordinance is to allow historic sites to realize their full economic potential using regulatory incentives such as the HUV to make it easier and more feasible to rehabilitate historic structures. The legislative intent of the ordinance was not to minimize change. The intent is to enable the minimum necessary change that is economically viable. He stated the structure could have been renovated as a rental property, but a return of investment on a 1,800 square foot rental property, abutting a State Trunk Highway, with no parking, would not have paid for this project. This has been an extremely costly endeavor. The maintenance of this property will continue to be costly. The historic character of this building is its original designed purpose and use, and it was originally built as a lager beer saloon. The HUV is in fact the minimum necessary to enable this property to be used in a manner that will not only have the least impact on the historic character, but will fully realize it.

At questions from the Commissioners, Mr. Schroeder stated that the fire code capacity for the building is between 50-55 people. He presumes he would have discussions of the hours of operation at the licensing phase. He is hoping to have the hours of operation be the same or similar to those of the tap room 16 ½ feet to the north. He said he would work with the neighboring owners to work on getting better lighting in the public alley.

Michael Padgett, 274 Goodrich Avenue, Saint Paul, spoke in support. He has lived at his property since 1978. He applauds the fact that he is seeing very positive changes in the neighborhood. These are two sites that have not been the most exciting sites in the neighborhood for many years. He supports this proposal and believes it is a wonderful idea. He commends Tom Schroeder for his efforts, and he hopes the project is not too bogged down with zoning and variance issues because this area needs improvement.

Adam Yust, 202 McBoal Street, Saint Paul, spoke in support. He lives in very close proximity to the future Stone Saloon. He is also a board member of the West Seventh / Fort Road Federation and they have given their unanimous support of this project. They find that is fully within line of their district plan. He would like to thank the HPC staff and commissioners for their recommendation of approval for the HUV. The neighborhood is mixed use and this type of project is what makes their neighborhood unique. This is a wonderful way to rejuvenate the neighborhood with the HUV for the very first time. The precedent it would set would be exquisite for Saint Paul.

Brian Harvey, 201 Goodrich Avenue, Saint Paul, spoke in support. Mr. Harvey explained the mixed uses in the neighborhood he noticed while walking through the neighborhood and said the only negative thing they encountered was a neighbor who disagreed with his support of the Stone House Saloon. He stated if you want large lots and no immediate neighbors you should consider living in the suburbs. This is not a suburban neighborhood. They have a great variety of residential and commercial uses within the neighborhood and we have benefited from the mixed uses. With respect to concerns of parking and traffic in the neighborhood, he stated it already faces some challenges. We shouldn't assume this use will dramatically make it worse. It is a very walkable neighborhood and there is excellent bus service for this area. He doesn't believe it will bring a flood of more cars to the neighborhood. A project like this adds interest and vitality to our neighborhood. It is one more reason to live in the neighborhood and for people to spend money in the area. He believes investment feeds investment. When one

neighbor improves one property it prompts other people to improve their properties. If everyone in his neighborhood treated their property the way that Mr. Schroeder has treated his, this neighborhood would be the envy of everyone in the metro area.

Richard Miller, 242 Goodrich Avenue, Saint Paul, spoke in support. Mr. Miller said he appreciates the some of the fears of his neighbors, however, he also believes that this is not what that is going to be. He is pleased to hear from Mr. Schroeder that this will not be a sports bar.

Grit Youngquist, 270 Page Street, Saint Paul, spoke in support. She and her husband have been excited to watch the progress of this preservation project. She is appreciative of Mr. Schroeder for his investment and what he is doing to preserve this site and to create something wonderful for the neighborhood. She walks and bikes frequently from where she lives to destinations in the neighborhood. It will be nice to have a place in their neighborhood to enjoy.

Andrew Ruggles, 4745 Aldrich Avenue S, Minneapolis, spoke in support. Mr. Ruggles said he cycles through this area each week. He said this will be a wonderful place. It is very small and it will be a great neighborhood addition. It will be a unique experience.

Katie Swanson, 201 McBoal Street, Saint Paul, referred to a letter she submitted stating her full support of the project (see attached letter).

Jan Grover, 251 Banfil Street, Saint Paul spoke in support. Ms. Grover wanted to thank government agencies for establishing heritage preservation sites. Saint Paul is doing something so affirmative in terms of its commitment to preserving its past. Preservations are affirmations they affirm the relevance of the past to the present. The Stone Saloons deepest past was as part of a walking city and a distinctive model of sociability brought to Saint Paul by its German immigrants. That model is particularly relevant to this application and it deserves the City's full support. In the 1850's when the Stone Saloon was built entertainment was not home centered except for the very wealthy. When people wanted to enjoy themselves they went out for entertainment. The German model of the tavern setting brought to America by immigrants is something very different and was designed for families to visit. The Stone Saloon follows this model. Too much of the past 40 years has been turning ones back on neighbors and communities and hunkering down in front of a television. A place like the Stone Saloon that is in walkable distance to a large neighborhood would be a small step in reversing those kinds of patterns and help to bring the neighborhood together. Things are really changing in Saint Paul and changing in exciting directions. She would like this site to be returned to its earliest use as a German Lager Saloon. It will be an income producing property as well as honoring its first use. It will honor the traditions that the Germans brought to this country of family friendly places for drinking and simple entertainment.

Becky Yust, 256 Goodrich Avenue, Saint Paul, spoke in support and submitted a letter (see attached). She has been president of the West Seventh / Fort Road Federation and lived in the area since 1974. This is a neighborhood that has come a long way in forty years and the community has worked on those changes. This neighborhood is not a residential neighborhood. She explained the changes in the neighborhood that have improved the area. This project is

totally in keeping with the intent for their neighborhood. They want to see improvements and assets that will be utilized by their community.

Andrea Marboe, 253 Western Avenue, Saint Paul, spoke in support. Ms. Marboe stated she wouldn't live in this area if she hadn't met people like Tom Schroeder. She appreciates his dedication to historic preservation and the value of community. Her family is very happy with the Stone Saloon being in the neighborhood.

John Ulven, 278 Goodrich Avenue, Saint Paul, spoke in support. Mr. Ulven stated he has witnessed a great deal of changes in the neighborhood. He has worked in historic preservation quite a bit. He stated that ownership is one thing, but stewardship is another, and that's one thing that is an intangible that is evident in Tom's dedication to this project. He certainly isn't in it for the money. We are not making any more historic buildings and to lose one through neglect would be a tragedy.

Joycellen Boykin, 233 Goodrich Avenue, Saint Paul, spoke in opposition and submitted a letter (see attached). Ms. Boykin stated she is not opposed to the Stone House, she is opposed to the saloon use. The restoration of the building is beautiful, but the building has never been a saloon. It has been insinuated that the owner in 1860 had a liquor license, but never that this place was a saloon. It was a single family residence from 1857-1860 and 1863 until 2008. She attended the Heritage Preservation Commission meeting on August 13, and didn't get home until 10:30 p.m. The victory party they were having at 445 Smith Street was confirmation of all of her concerns. There were people in the alley, someone in her bushes urinating, and about 20 people outside. She is right next door to the property and she is worried people will have no regard for her privacy or her property. The proposed new building will be right at her property line. She is also concerned with traffic and parking in the neighborhood and the alley with this new business. She said there is nothing minimal to what Mr. Schroeder is proposing.

Richard Hause, 444 Smith Avenue, Saint Paul, spoke in opposition and submitted a letter (see attached). Mr. Hause he is predominately concerned with the hours of operation, parking, ADA parking, traffic, and the proposed setbacks of the proposed side building. He also has concerns with the traffic in the alley.

Terrance Schreiner, 433 Smith Avenue, Saint Paul, spoke in opposition. Mr. Schreiner said his driveway is right next to the Stone House. He lives twelve feet from the new Bad Weather Brewing Company and he doesn't believe they need two breweries/saloons fifty feet from each other. There is not enough room in the neighborhood. When he learned that the Stone House was going to be a brewery he told Mr. Schroeder he would sell his home of 30 years. He is working on selling it right now because of this project. His grandchildren live with him and there is no reason that there should be a saloon right next door. When he purchased his home the Stone House was a single family residential home. He imagines they will be brewing with wheat and his grandson is deathly allergic to wheat. That will compromise the air around his home. He is also concerned about the traffic in the alley. Mr. Schroeder said he would make an offer on his home. After the Preservation hearing there were folks there drinking and Mr. Schroeder had no control and he is concerned that this is what they will see if the saloon opens. If this project is approved he would like to see conditions for 24 hour resident parking on Smith Avenue, and for Mr. Schroeder to cut him a new driveway so he can avoid the alley. There will be a lot of

traffic and people coming in and out of the alley he is afraid of accidents. The alley is horrible in the spring and winter months.

Tom Schroeder responded to testimony. He stated he is extremely proud of what happened on the evening of August 13. He received a request from Randal Dietrich, a Civil War Specialist, to have a historical event at the Stone Saloon. Mr. Schroeder said he was at the Historic Preservation Commission meeting, but he had three of his neighbors on site. He can swear to the fact that there was no public urination, people in the back yard, and no one was on the side after 11:00 p.m. He cleaned out the place beginning at 10:30 p.m. He is very regretful that so much of this has been misinterpreted. He will bend over backwards to address all neighborhood concerns. He lives in the neighborhood and cares about the neighborhood. He will be the first to address concerns. No one called him or told him about any of these concerns. If he had any concerns expressed to him he would have remedied them immediately.

At questions from the Commissioners, Mr. Schroeder stated that there is a letter from Bad Weather Brewery confirming that they will work together on ordering supplies to share deliveries and minimize truck traffic through the alleyway. They will have a lease usage of their trash pad to minimize dumpsters. They will address many more issues with site plan review and with the HPC. Until they can finalize the exact location of the brew building some of the issues will remain in flux.

The public hearing was closed.

Upon inquiry from the Commissioners, Mr. Dermody stated the reason for the condition of no off-street parking on site is to maintain as much as possible the residential nature of the block and limit the commercial impact. It's apparent that a full range of T2 uses wouldn't appropriate on this site, but only to have a limited commercial intrusion. By limiting parking on this site is a way of limiting the commercial intrusion.

Commissioner Padilla stated her concern that there is no condition to the HUV that ties the requirement that parking be provided elsewhere under an agreement. She wants it clearly stated what the parking required by the zoning code is and where it will be provided off-site. She also wants it to be clear in condition three that this isn't just substantial compliance with HPC design review, but that it also needs to go through site plan review.

At questions from the Commissioners, Allan Torstenson stated that the code allows parking in both T2 and VP districts.

There was discussion based on the operational plan for the facility, the new ordinance, and concerns that the neighbors raised.

Mr. Dermody stated that Condition #3 in the HUV recommendation states that expansion of the use beyond what is proposed in this application would require a separate historic use variance application and approval.

Commissioner Elizabeth Reveal moved approval with conditions of the historic use variance subject to; clarification of Finding 3 stating that the use is met instead of partially met, an

additional condition that there must be a site plan review application and approval by the Zoning Administrator, and that parking requirements be clearly stated. Commissioner Julie Padilla seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Commissioner Elizabeth Reveal moved approval with conditions for side and rear setback variances. Commissioner Julie Padilla seconded the motion.

It was requested that the required setback distance be included with the resolution to be presented at the Planning Commission on September 4, 2015.

The motion passed by a vote of 4-0-0.

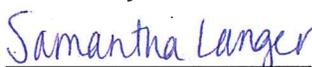
Adopted Yeas - 4 Nays - 0 Abstained - 0

Commissioner Elizabeth Reveal moved approval with conditions of the variance to allow the corner of a parking space to be set back 4 inches from a lot line at the public sidewalk subject to an additional condition stating submission of a more detailed site plan to the Zoning Administrator for review and approval, showing the number and location of bike racks, access to the bike racks, paving and landscaping in conformance with all applicable code requirements. Commissioner Julie Padilla seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:



Samantha Langer
Recording Secretary

Submitted by:



Bill Dermody
Zoning Section

Approved by:



Gaius Nelson
Chair

Barbara Wencil, Chair, Planning Commission
Gaius Nelson, Chair, Zoning Committee
c/o Bill Dermody, City Planner

My name is Katie Swanson and I am writing on behalf of my 6 year old son Lochlan Swanson. I will be submitting my own testimony and hope to attend the meeting in person. We live about 150 feet from the Stone Saloon at 201 McBoal and my son wanted his testimony to be considered separate.

Lochlan has an affinity for history, specifically the Civil War. This love has come to life through the Stone Saloon. Lochlan heard my husband and I discussing the Historic variance meeting as well as this zoning meeting. Lochlan asked if HE could also testify. Although we thought it was a passing notion, he then proceeded to write his own speech, used our phones to practice and record himself and in the end ended up delivering his speech at the historic use meeting in front of a room of almost 100 people. He was a bit thrown by his voice in a microphone and did insert a few robot noises (he IS 6 still) but at the end of the day he delivered his thoughts and words. Please find his speech attached to this email. I wanted them included as I think they show that this is NOT a Bar and really is something much much bigger. We are very grateful to the things the Stone Saloon has contributed to both our boys.

Thank you

Katie and more importantly Lochlan Swanson

[Handwritten speech is printed separately]

Barbara Wencil, Chair, Planning Commission
Gaius Nelson, Chair, Zoning Committee
c/o Bill Dermody, City Planner

My name is Katie Swanson, my family and I have lived at 201 McBoal street for almost ten years. Although I hope to make it to the zoning meeting, I am concerned that a 6 and 2 year old might not respect the process as much as most who attend. In the event I am unable to attend (or a child does not allow me to finish a thought) please consider the below as the testimony, as a very close and direct neighbor to the Stone Saloon.

We are literally a Stones throw from the Stone Saloon. My husband, Jason, and I have 2 young sons, Lochlan (6yrs) and Crosby (almost 2), we live at 201 McBoal st, just around the corner from the Stone Saloon. We have been in full support of the Stone Saloon since the projects beginning and have already found it very enriching to our lives. When we moved into this neighborhood almost ten years ago, from the heart of North Minneapolis, we were drawn to the very central location and the mixed use factors of the neighborhood. Our house, when we bought it, was (and is) nestled between Bonfes Auto Body to one side and The Women Of Nations (a domestic abuse shelter) on the other, and directly behind us was a vacant auto shop. Since moving in we have welcomed The Holy Mackerel tattoo and piercing shop, a project many neighbors fought, sighting many of the same concerns I am hearing from a select few, such as transient traffic, noise, parking, and general low caliber of clientele. Those concerns have been found to be baseless and we have never regretted welcoming the Holy Mackerel. We knew we were not moving into a traditional residential neighborhood and have adored living here. We love that we can walk to get coffee, or out to dinner as a family, we have family memberships and walk to the Childrens Museum, Science museum and the history center, we attend concerts and the occasional hockey game, we walk to our favorite bars and restaurants for date night, our home has been on the Mpls Saint Paul home tour and we love welcoming people to our neighborhood for the garden tour

each year, Art is everywhere around us-working and showing across from the Stone Saloon, our kids see diversity and culture yet we still feel like we live in the best small town ever.

One of our main reasons for supporting the Stone Saloon is seeing the project through my sons eyes. My son Lochan has an affinity for history, the Civil War specifically, and to him he has watched history come to life; and that is what this project is about. My almost two year old can sing the Battle Cry of Freedom (Civil War song) and only because of the Stone Saloon. I have at no time seen ANYTHING that would make me think that this is a bar that will lead to wild parties, smoking, vomiting, peeing or any of the other fears I have heard a few neighbors voice. This is about saving a tiny piece of long gone history and keeping it alive. Most of the concerns that I have heard from some of my fellow neighbors seem fear based and not based on the business plan or model, many of the same concerns were brought forward about a Tattoo Parlor going in. People were afraid of experiences in the past and stigma; not looking at the specific project.

There will always be hiccups, parking is an issue during the Winter Carnival, Garden tour, the home tour, art openings and showings at Claddagh and others, Xcel events, Crashed ice and snow emergencies, to name a few. Noise is an issue during the Winter carnival, Irish fair, Crashed ice, the salvation army, neighborhood dogs, social gatherings, traffic from Smith Ave and West 7th, all hour tow truck drop offs at Bonfes, We have noises at all hours of the day from traffic. Bonfes may be closed by 5pm, however tow trucks deliver new business at ALL hours and days of the week and at times, helicopters seem to clip our hedges delivering or transferring people in desperate need of help from the hospitals. Some neighbors work and live odd hours and have been known to do yard work at 3am. We have pedestrian non resident traffic from Women of Nations, The Salvation Army, people attending events, or just dinner, workers from the hospital and other businesses, as well as tourists. We have motor traffic from tow trucks, delivery drivers, the hospitals and commuters and even bus tours. Winter carnival season and high school tournament time brings their own set of adjustments that need to be made. These are all normal things that come with the territory and can be expected living in a multi use neighborhood; and are FAR out weighed by the awesome aspects. I truly could spend ten minuets talking about the things and people that make this particular nitch of a neighborhood amazing and make those issues worthwhile. In fact, we welcome most of them! For any one to claim that this has ever been a purely residential neighborhood is just inaccurate

We are a young and professional family. I am a Stay at Home Mom and an Artist, My husband is a corporate professional and musician. We are Ecstatic about the Stone Saloon and so are our friends and family. We are excited to see the history of old Saint Paul not only persevered but to be brought back to life in full color.

Recently, when a friend was moving to Minnesota from Chicago for work, she chose not only Saint Paul but this neighborhood, 208 McBoal (Paulett Myers Rich's building). She chose this neighborhood for its walkability to coffee, food and entertainment and largely due to the Stone Saloon and Bad Weather Projects. As a young professional, walkability to elevated drinking establishments (not bars) and dining, as well as other culture is a draw. She was so excited about the Stone Saloon that she came to the Historic Preservation meeting in support of the Stone Saloon and sat through all three and half hours.

These projects are just the things we have been fighting for, wishing for, to show our neighborhood as being vibrant, relevant and forward thinking while not losing our historic identity or quality of life. I am so excited that people are starting to see the gem we saw 10 years ago. In my experience the majority of my neighbors have been in overwhelming support of the Stone Saloon. I have enjoyed numerous boulevard talks and extended dog walks talking about this project, even at the cost of getting dinner on the table late.

This neighborhood is diverse and has seen its fair share of growing pains. Many have been here longer than us and I understand their fear and trepidation. I challenge people to change their filter. This is a different project at a different time and can mean amazing things for our families and property values. The wonderful thing is: Although I may not agree with all my neighbors, we are united in our love of this place and our wish for wanting what is best for not just us, not just our family or our brief window in its history, but for those who will come long after. This neighborhood is the oldest in the city and we are all just stewards carrying it on for the next generation.

My son Lochlan is excited about the Stone Saloon and "getting a root beer with Daddy and learning about history." After hearing my husband and I discuss the zoning process he asked if he could speak too. He wrote his own speech and got up in front of a room of almost 100 strangers to talk about what this project means to him.

This is NOT just another bar. This humble little building is rising up out of what was almost rubble because of a dream and someone who had the guts to push forward and take their time to do things the right way, to make something very special happen. To see this dream come to fruition will give others a success story to say, "YES we can!". Anyone who refers to those involved in this project as hobbyists or amateurs is not only wrong but insulting to the research, love, work, money and tears that have been put into this project. This is not just another bar, this is not just a hobby project. This project is bigger than just one stone building and obviously means a lot to many. We are excited about the people an establishment like the Stone Saloon will bring to the neighborhood and showing off what an amazing historic niche we have adopted as home. My family and more importantly my kids see home as not only the four walls of our house but also Irvine Park (family walks), Claddagh Coffee (almost every day), The Sculpture Park, Bonfies Parking lot (after hours bike lessons), Burger Moes (burgers and family walk malts) and we look forward to including another family living room into our definition of home.

Thank you,
Katie Swanson
201 McBoal St

August 25, 2015

TO: Zoning Committee of the St. Paul Planning Commission

FROM: Becky Love Yust, 256 Goodrich Avenue

RE: 445 Smith Avenue North -- Variance Requests

I enthusiastically support the applications of Tom and Ann Schroeder for: (1) an Historic Use Variance to allow the use of their property at 445 Smith Avenue North as a commercial, beer-only tap room/microbrewery; (2) variance to reduce the side and rear lot setback requirements; and, (3) variance to reduce the setback requirement for parking at 444 West 7th Street to meet the parking spaces necessary for the use of 445 Smith as a tap room.

My husband and I have lived near the Schroeder property for more than 40 years. Since moving into the neighborhood, I have been active in the West 7th/Fort Road Federation, serving in a number of board positions, including President, and more recently as chairperson of our District 9 Comprehensive Area Plan Committee.

West 7th has fought hard to improve our housing, commercial activity, schools, and transportation. We have always understood that the relationships of each of these domains need to be in balance as we work to create a vibrant, thriving community. And, as an inner city neighborhood, the tension among these domains has challenged us as we work to meet community and city goals. An additional challenge is to meet contemporary zoning requirements in a neighborhood that was developed long before any such regulations existed.

Examples of wanting to advance our neighborhood's economic vitality while ensuring livability occurred in the 1970s when the residential structures in Irvine Park were saved. Since before the 1930s, the homes had deteriorated and were essentially single room occupancy dwellings and, by 1970, the city had zoned it to be developed as industrial use. After a significant struggle to save Irvine Park as a residential district, the homes were sold to private individuals who had applied for the opportunity to own and rehabilitate the homes. During this time, a proposal came in from the Naegele Corporation to purchase the Forepaugh mansion and turn it into a restaurant. This was while the original Cossetta's store was still located in Irvine Park. I can recall many difficult community conversations about letting a new commercial activity encroach in a residential district and change the use of the structure from residential to a commercial restaurant with a full liquor license. Ultimately, Naegele's proposal was accepted by the community. Forepaugh's partnered with the Minnesota State Historical Society to share parking at the Ramsey House and has been responsive to neighbors when any issues about noise and garbage arose. Today, Forepaugh's continues to enhance the experience of Irvine Park for thousands of people each year. This example is meant to highlight that our neighborhood has had a long history of mixed uses that continue today. We are not a planned suburban residential community—we have continued to support mixed uses as we evolve to stay vital.

The current project has an address of 445 Smith Avenue North, but also Smith is known as State Highway #149—a highway that was planned by MNDOT in the 1980s to serve a new four-lane High Bridge reconstruction. While owners of properties on Smith knew that their addresses were on a state highway, we also wanted to maintain a semblance of livability on the highway and fought, successfully, to keep it as a two-lane thoroughfare. Again, we ensured that the transportation needs of the city and the needs of local properties were balanced.

I support the historic use variance to enable 445 Smith to be used as a tap room. And, in order for it to do so, I support the setbacks for the additions to the west of the historic building. Our neighborhood is replete in accessory buildings on residential lots—this project is not different, and reflects the past structures on the property at 445 Smith. I also support the variance for the parking on the triangle on West 7th to serve the needs of 445 Smith. The developer of 445 Smith has planned the tap room to be sensitive to the neighborhood context, as well as the proposed parking, where both support our goals in the District 9 Comprehensive Plan and the City's Comprehensive Plan.

I believe that 445 Smith Avenue North, aka the Stone Saloon, will have a significant positive effect for our neighborhood as do the many other valued assets of our neighborhood.

To the Zoning Committee:

My name is Joycellen Boykin I live at 233 Goodrich, the property adjacent to the property 445 Smith St. The first thing I want to say is I am opposed to the Whole idea of a Tap Room Brewery/Restaurant next door to my home. I believe it will have a huge impact on the traffic in our neighborhood and all for the worse.

There is already an issue with not enough parking on my block so I park in my drive way, I have been here 23 years and have only had one or two issues that have made me or my family uncomfortable. The Bad Weather Brewery which is a huge brew pub/tap room that is approximately one whole block, set to open 10/01/15 right behind my home and the owners have assured me and the neighbors that their traffic will remain on W 7th Street. The Bad Weather Brewery already increases the intensity and is too much for our neighborhood. The proposal of Stone House owner compromises every homeowner or renter on the Goodrich side as the foot traffic in the alley will be off the grid. Not to mention the car traffic in the alley looking for a place to park, potentially hitting walkers while all are trying to get to the establishment to drink. This has been a very quiet and peaceful neighborhood up until now. The party at 445 Smith St the night of the last hearing 08/13/15 was confirmation of all of my concerns. At 10:30pm when I arrived home there were people all over the alley, in My bushes urinating and they were guests of 445 Smith and there is an outhouse on the property, also there were about 20 people outside. Further demonstrating that his guests will have no regard for my privacy or my property.

The character of our neighborhood is family oriented at any time you may see people out peacefully walking their pets, children playing in the back yards of their homes. My concerns stem from the possibility of strangers accessing another establishment serving alcohol traveling our side streets and alleys. We are also proposing 24 hour parking in area 7.

If this building were a tourist house because of its history or ambience and it remained consistent with the character of our neighborhood I would not have any issues. However, to build a huge add on building with space to brew beer and accommodate a kitchen for bar/restaurant would impact our neighborhood in

such a way that totally does not preserve the little historic house that Fransis lived in for 70 plus years. When I bought my house 5 families lived along my property line, then the owner of Stone house bought 2 more of the remaining properties for his agenda. For 2-3 yrs he told all of us he was building a violin shop. It's no longer about the preservation of the Stone House, it's about a Saloon/Restaurant and trying to buy my home and Terrance's home next to his on Smith for parking purposes so that he can turn our quiet neighborhood into a commercial area. Contrary to what he believes this Saloon will not enhance our neighborhood. Tom is banking on me being unhappy and trying to sell my home so that he can build his parking lot next to his business.

My feeling is that Tom is also banking on the fact that this procedure is new, (first of its kind) sets the precedence for future endeavors. We expect this in commercial areas, not in our back yards. People that have a lot of money to invest in hobbies and preservation of buildings should not be able to take one historic building and use it to restructure a whole community for their own advantage. We should not have to fight for normalcy, safety nor integrity of the homes we have worked so hard to get or keep. We are normal hard working people. Please help us preserve our neighborhood. I hope that the newness of this procedure does not fail all of us that have planned our lives around our homes and community. We don't know all of the legal garb to be able to talk to you all about statutes and variances, we're just normal people that have worked hard to fulfill our dreams for our families.

Sincerely,

Joycellen Boykin

MINUTES OF THE ZONING COMMITTEE
Thursday, August 27, 2015 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Nelson, Padilla, Reveal, and Wencil
EXCUSED: Edgerton, Makarios, Merrigan, and Wickiser
STAFF: Anton Jerve, Samantha Langer, and Allan Torstenson

The meeting was chaired by Commissioner Nelson.

IAF 2400 University LLC - 15-136-832 - Conditional use permit for maximum building height of 75 feet, 2400 University Ave W

Anton Jerve presented the staff report with a recommendation of approval with a condition for the conditional use permit. He stated District 12 recommended approval. There were 6 letters in support, and 0 letters in opposition.

Thomas Nelson, Exeter Group, 2112 Kenwood Parkway, Minneapolis, stated they appreciate the work that staff has done. They have been working with the City Council and Heritage Preservation Commission (HPC) staff to advance this project. The request to go up to 75 feet is necessary to make the project feasible. The project is fully compliant with the City's Comprehensive Plan, Raymond Area Station Plan and the T3 zoning district. It also has the blessing of the City Council by upholding their HPC appeal as well as City staff who have sponsored them on a grant application through the Met Council.

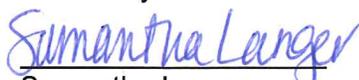
No one spoke in support or opposition. The public hearing was closed.

Commissioner Julie Padilla moved approval with a condition of the conditional use permit. Commissioner Elizabeth Reveal seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:



Samantha Langer
Recording Secretary

Submitted by:



Anton Jerve
Zoning Section

Approved by:



Gaius Nelson
Chair

MINUTES OF THE ZONING COMMITTEE
Thursday, August 27, 2015 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Nelson, Padilla, Reveal, and Wencil
EXCUSED: Edgerton, Makarios, Merrigan, and Wickiser
STAFF: Michelle Beaulieu, Samantha Langer, and Allan Torstenson

The meeting was chaired by Commissioner Nelson.

Timothy Niver - 15-145-496 - Reestablishment of nonconforming use for a restaurant, 786 Randolph Ave, SW corner at View

Michelle Beaulieu presented the staff report with a recommendation of approval with a condition for the reestablishment of nonconforming use permit. She stated District 9 made no recommendation, and there was one letter in support and no letters in opposition.

The applicant, Timothy Niver, 1788 Silver Bell Circle, Eagan, stated that the building and neighborhood are wonderful. He has had good luck in Saint Paul with his restaurants. The building looks exactly like he wants it to for an Italian restaurant. He feels really good about the situation and feels like they will be able to have a gainful business at this location.

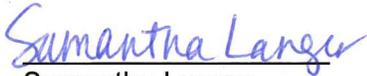
No one spoke in support or opposition. The public hearing was closed.

Commissioner Barbara Wencil moved approval with a condition of the reestablishment of nonconforming use permit. Commissioner Julie Padilla seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Michelle Beaulieu
Zoning Section

Approved by:


Gaius Nelson
Chair

MINUTES OF THE ZONING COMMITTEE
Thursday, August 27, 2015 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Nelson, Padilla, Reveal, and Wencil
EXCUSED: Edgerton, Makarios, Merrigan, and Wickiser
STAFF: Jamie Radel, Samantha Langer, and Allan Torstenson

The meeting was chaired by Commissioner Nelson.

Integrity Auto Sales - 15-144-494 - Conditional use permit for outdoor auto sales and minor repair of vehicles for sale, 501 Maryland Ave W, NW corner at MacKubin

Jamie Radel presented the staff report with a recommendation of approval with conditions for the conditional use permit. She stated District 6 recommended approval, there was 1 letter in support, and no letters in opposition.

The applicant, Josiah Bartlett, 995 Albemarle Street, Saint Paul, stated this will not be a typical car lot. There will not be signs, banners or cars marked for sale. The repairs they will be doing will be very small including topping up fluids, changing windshield wipers, brakes, and changing tires. They will not operate on Sundays.

No one spoke in support or opposition. The public hearing was closed.

Commissioner Julie Padilla moved approval with conditions of the conditional use permit, subject to the modification of condition 8, stating they will not operate on Sunday. Commissioner Elizabeth Reveal seconded the motion.

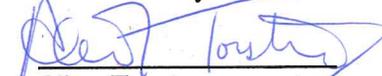
The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Allan Torstenson
Zoning Section

Approved by:


Gaius Nelson
Chair