



**CITY OF SAINT PAUL**  
*Melvin Carter, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6565  
Facsimile: 651-266-6549*

DATE: December 26, 2019

TO: Comprehensive and Neighborhood Planning Committee

FROM: Anton Jerve, Principal Planner, 651-266-6567

RE: Review of Proposed Commercial Development District at the 974 7<sup>th</sup> Street West

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### **Background**

Commercial development districts are designated areas across the city that are outside of Ward specific liquor license limits. Section 17.07.1 of the City Charter defines commercial development districts. Section 17.07.2 includes restrictions on liquor licenses for commercial development districts. Section 409.20 of the Legislative Code describes the process of creating new or amending existing districts. Relevant portions of these sections are excerpted below.

#### Section 17.07.1. Commercial development districts; patrol limits.

1. A commercial development district in an area within the city as designated herein, or created by the council hereafter in accordance with this section. Six (6) commercial development districts are hereby created, whose names and defined boundaries are indicated on maps attached hereto as Exhibits 1 through 6, which are incorporated and adopted herein by reference. The council may by ordinance create new or additional commercial development districts, or amend the boundaries of those already created, only in accordance with the following procedures:
  - (a) The proposed commercial development district shall be submitted in writing, accompanied by a map setting forth its boundaries; and
  - (b) Reasonable public notice of the proposed commercial development district shall be given by the license inspector to residents and organizations in the ward or wards in which said district is to be located; and
  - (c) The council or a committee thereof shall hold a public hearing in the ward or wards in which said district is to be located; and
  - (d) After the foregoing steps, an ordinance designating the new commercial development district and defining its boundaries is adopted upon the affirmative vote of at least five (5) members of the council.
2. The council may by ordinance adopt additional procedural and substantive requirements for the creation or amendment of commercial development districts.
3. The entire land area in each council ward, which has not been made part of a commercial development district, is a separate liquor patrol limit.

Section 17.07.2. Restrictions.

5. There shall be no limitation on the number of on-sale intoxicating liquor licenses which may be issued or renewed within, or transferred into, a commercial development district, except as set forth in paragraph (6) below. No restriction applicable to such licenses in liquor patrol limits in this section shall apply to such licenses in commercial development districts.
6. Notwithstanding the provisions of any law or this Charter allowing the issuance of on-sale intoxicating liquor license, not more than two hundred fifteen (215) such licenses shall be issued by the city. Priority shall be given, by ordinance, in the issuance of all such licenses first to applicants who purchase an existing business having an "on sale" license with the intent of operating said business at the same location for at least one year thereafter, and then to restaurants capable of seating and servicing meals to not less than one hundred (100) guests at one time and then to hotels having dining rooms capable of seating and serving meals to not less than fifty (50) guests at one time, and thereafter as the council may determine.

Section 409.20 of the Legislative Code:

- (a) Commercial development districts, as defined in section 17.07.1 of the City Charter, may be created or expanded by the filing in the office of the city clerk of a written petition therefor setting forth the boundaries of the expanded district, and containing the written consent of the owners of two-thirds of the several descriptions of real estate situate within the new or area of the expanded district, together with the written consent of the owners of two-thirds of the several descriptions of real estate situated within one hundred (100) feet of the new or expanded district, and after the affirmative vote in favor thereof by at least five (5) members of the city council.
- (b) The city council may waive the requirements for consent signatures if the city council shall determine that a hardship exists therefor, and in such case the council may, on its own, initiate the process of creating or expanding a commercial development district. In such case, the affirmative vote of at least five (5) members of the city council shall be required to create or expand any such district.
- (c) **In all such cases, the planning commission shall be consulted for advice concerning the proposals for consistency with the city's comprehensive plan and zoning ordinances, and the planning commission shall report in writing to the city council its findings and recommendations.**
- (d) Upon receipt of the report of the planning commission, the council's committee designated to hear license matters shall fix a date for public hearing to consider the petition or proposal to create or expand a commercial development district and afford an opportunity to all affected persons to be heard. The city clerk shall cause notice of the hearing to be published once in the official newspaper of the city, and mailed notice thereof shall be given by the department of safety and inspections to all owners of land within the new or area of the expanded district. Published notice and mailed notice shall be made at least twenty (20) days in advance of the public hearing.

On November 13<sup>th</sup>, 2019, an application was submitted to create a commercial development district for the 974 7<sup>th</sup> Street West, to allow a potential new bar on the site to apply for an intoxicating liquor

license. This commercial development district is proposed to include this one parcel. The Planning Commission is being consulted for advice concerning the proposal's consistency with the City's comprehensive plan and zoning ordinances, as per section 409.20 of the Legislative Code.

The building is the former office of the Fort Road Federation. It is proposed to be a bar with indoor seating for 55 and patio seating for 24 additional people. It will have a small (8' x 10') stage showcasing local musicians who will perform for free. It will be open from 2:00 PM to 2:00 AM daily and will also serve snacks and frozen pizza.

### **Findings**

Staff has reviewed the proposed commercial development district and made the following findings:

1. The 974 7<sup>th</sup> Street West site includes one building on one parcel, as shown on the map in the attached application.
2. The proposed commercial development district is confined to 974 7<sup>th</sup> Street West.
3. The proposed commercial development district is consistent with the adopted 2030 Saint Paul Comprehensive Plan, which designates the area surrounding around the intersection of West 7<sup>th</sup> and Randolph and including this site as a Neighborhood Center. The 2030 Comprehensive Plan promotes "Neighborhood Centers as compact, mixed-use communities that provide services and employment close to residences." (Strategy 1.15).
4. The proposed commercial development district is consistent with the approved 2040 Saint Paul Comprehensive Plan, which designates the area surrounding around the intersection of West 7<sup>th</sup> and Randolph and including this site as a Neighborhood Node. Neighborhood Nodes promote a mix of land uses including commercial and entertainment (Policy LU-30 through Policy LU-33).
5. The proposed commercial development district is consistent with the West 7<sup>th</sup> Street/Fort Road District 9 Area Plan, which encourages supporting a node of businesses at the intersection of West 7<sup>th</sup> and Randolph (Strategy 16; Strategy 49).
6. The proposed commercial development district is consistent with existing zoning. The property is zoned T2, which permits bars and restaurants up to 5,000 sf (the proposed bar will be less than 5,000 sf).

### **Recommendation**

Based on findings 1 through 6, staff recommends support for creating the proposed commercial development district for 974 7<sup>th</sup> Street West because it is consistent with the Saint Paul Comprehensive Plan and Zoning Code.

city of saint paul  
planning commission resolution  
file number \_\_\_\_\_  
date \_\_\_\_\_

**Commercial Development District: 974 7<sup>th</sup> Street West**

WHEREAS, an application has been submitted to the City Council for the creation of a Commercial Development District at 974 7<sup>th</sup> Street West site pursuant to §17.07.1 of the City Charter and to §409.20 of the Saint Paul Legislative Code, for the purpose of removing the property from restrictions on the number of on-sale intoxicating liquor licenses allowed within the liquor patrol limits; and

WHEREAS, the Department of Safety and Inspections has consulted with the Planning Commission for advice concerning the proposal's consistency with the City's comprehensive plan and zoning ordinance pursuant to §409.20 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission has made the following findings of fact:

1. The 974 7th Street West site includes one building on one parcel, as shown on the map in the attached application.
2. The proposed commercial development district is confined to 974 7th Street West.
3. The proposed commercial development district is consistent with the adopted 2030 Saint Paul Comprehensive Plan, which designates the area surrounding around the intersection of West 7th and Randolph and including this site as a Neighborhood Center. The 2030 Comprehensive Plan promotes "Neighborhood Centers as compact, mixed-use communities that provide services and employment close to residences" (Strategy 1.15).
4. The proposed commercial development district is consistent with the approved 2040 Saint Paul Comprehensive Plan, which designates the area surrounding around the intersection of West 7th and Randolph and including this site as a Neighborhood Node. Neighborhood Nodes promote a mix of land uses including commercial and entertainment (Policy LU-30 through Policy LU-33).
5. The proposed commercial development district is consistent with the West 7th Street/Fort Road District 9 Area Plan, which encourages supporting a node of businesses at the intersection of West 7th and Randolph (Strategy 16; Strategy 49).
6. The proposed commercial development district is consistent with existing zoning. The property is zoned T2, which permits bars and restaurants up to 5,000 sf (the proposed bar will be less than 5,000 sf).

NOW, THEREFORE, BE IT RESOLVED, under provisions of the City Charter §17.07.1 and Legislative Code §409.20, that the Planning Commission hereby reports to the City Council that the proposed Commercial Development District at 974 7<sup>th</sup> Street West is consistent with the Comprehensive Plan and Zoning Code, and supports creation of the proposed district.

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

Reason for seeking Commercial Development District designation for 974 W 7th

I intend to designate the address at 974 W 7th St as a Commercial Development District in order to establish a business at that location which would offer on sale liquor with no food or entertainment restrictions which exist outside of the commercial development districts.

I intend to open a bar focused on the first level with occupancy/seating of 55 patrons and offer a patio with seating for 24 more. The focus of the business will be the programming of developmental and community based local music and entertainment on a small (8'x10') stage. The business model will not charge for attending, rather be inclusive for patrons and offer the shows for no cover (free). There will be no televisions, rather the stage is the focus.

Presently, This a very underserved activity in Saint Paul, and I believe that we lose many of our younger artists who leave in search of communities that better meet their needs. There are few if any stages in the city that commit to programming artists on a community/development level. I believe that the W 7th community is a great fit for this model because of its established offerings for other aspects of arts and culturally curious communities. I also reside in this community and would like to operate a business in my community.

I will be looking to be open from 2pm until 2am 7 days a week. Food offerings will be available but limited to refrigerated snacks (cheese plates, olives, nuts) and frozen pizzas cooked in underbar pizza ovens.

Thank you

Jarret Oulman  
612-669-6915  
jarret@amsterdambarandhall.com

Jarret Oulman turned in a petition to turn 974 W. 7<sup>th</sup> Street into a Development District to allow full liquor without food service.

The number of possible Signatures – 9

The number of Signatures collected- 6

66.66 % of the total Signatures.

This meets the minimum of at least 2/3 of all eligible properties within 100 feet.

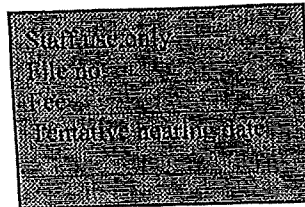
Thank you,

Ross Haddow



**PETITION TO CREATE OR EXPAND  
A COMMERCIAL DEVELOPMENT DISTRICT**

City Clerk  
Room 170 City Hall  
15 West Kellogg Boulevard  
Saint Paul, MN 55102  
266-8989



APPLICANT

Property Owner Jarrett Dulman  
Address 974 West 7th St  
City St Paul St. MN zip 55102 Daytime phone 612 669-6915  
Contact person (if different) \_\_\_\_\_

PROPERTY  
LOCATION

Address/Location 974 West 7th St  
Legal description lot 3 Block 31 of Thomas Daly's Sub  
of Blocks 18, 23, ex 7th st Lots 3 & Lot 4 Blk 31  
(attach additional sheet if necessary)

**TO THE HONORABLE MAYOR AND CITY COUNCIL:**

Pursuant to Section 17.07.1 of the City Charter and to Section 409.20 of the Saint Paul Legislative Code, the owners of property within the proposed new or area of the expanded commercial development district hereby petition you to create or expand a commercial development district to include the above described property for the purpose of removing the property from restrictions on the number of on-sale intoxicating liquor licenses allowed within the liquor patrol limit.

- Required map showing boundaries of proposed district
- Consent petition of owners of property within proposed district
- Consent petition of adjoining property owners
- Affidavit of petitioner
- Affidavit of person circulating consent petition(s)

(attach additional sheet(s) explaining the proposal if necessary)

Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_.

By: \_\_\_\_\_  
Fee owner of property

Title: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**CITY OF SAINT PAUL**

**CONSENT OF OWNERS OF PROPERTY WITHIN A PROPOSED  
COMMERCIAL DEVELOPMENT DISTRICT**

We, the undersigned, owners of property within the new or area of the expanded commercial development district acknowledge that we have been presented with the following:

1. A copy of the petition of Janet Oulman  
(name of petitioner)  
to create or expand a commercial development district on property located at 974  
W 7th St., along with  
a map showing the boundaries of the proposed district, for the purpose of removing the property from  
restrictions on the number of on-sale intoxicating liquor licenses allowed within the liquor patrol limit.

2. A copy of Section 17.07 of the City Charter and Section 409.20 of the Saint Paul Legislative Code;  
and acknowledge that we are aware that there is no limitation on the number of on-sale intoxicating  
liquor licenses in a commercial development district, except as set forth in Section 17.07.2(6) of the City  
Charter. We hereby consent to the petition of:

Janet Oulman  
(name of petitioner) to create/expand a commercial development district.

We consent to the approval of this commercial development district as it was explained to us by the  
applicant or his/her representative.

ADDRESS OR PIN#	RECORD OWNER	SIGNATURE	DATE	#
976 7th St. W	Ashley Nichols	Ashley Nichols	10-24-19	
1010 7th St. W.	City of Saint Paul	Amey Lybbert Real Estate Hgr	10/28/19	
972 966 940 7th St W	Larry Kaselle	[Signature]	10/29/19	
630 JAMES AVE	Judith De Bruin	Judith P. Bruin	10-28-19	
974 W. 7th	W. Anderson LLC	[Signature]	10/29/19	
459 Toronto St.	Richard Hornum	RICHARD P. HORNUM	11-4-19	

**NOTE:** The petition shall not be considered as officially filed until the lapse of seven (7) working days  
after it is received by the City Clerk. Any signator of this petition may withdraw his/her name therefrom  
by written request within that time.



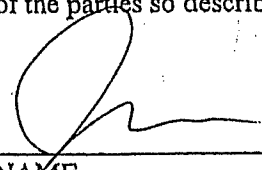
PETITION TO CREATE OR EXPAND  
A COMMERCIAL DEVELOPMENT DISTRICT  
AFFIDAVIT OF PETITIONER

STATE OF MINNESOTA)

: SS

COUNTY OF RAMSEY )

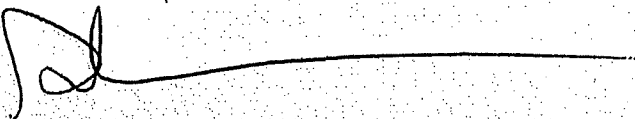
The petitioner, Jarret Oulman, being first duly sworn, deposes and states that the consent petition contains signatures from at least two-thirds (2/3) of all eligible properties within 100 feet of all property owned, purchased, or sold by petitioner within one (1) year preceding the date of this petition which is contiguous to the property described in the petition; petitioner is informed that the consent petition must contain signatures from each and all owners of jointly-owned property in order to constitute consent from that property and that failure to obtain consent from each and all owners could invalidate the consent petition; petitioner believes that the consent petition was signed by each of said owners and that the signatures are the true and correct signatures of each and all of the parties so described.

  
NAME Jarret Oulman  
195 Richmond St, St Paul  
ADDRESS  
612 669-6915  
TELEPHONE NUMBER

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

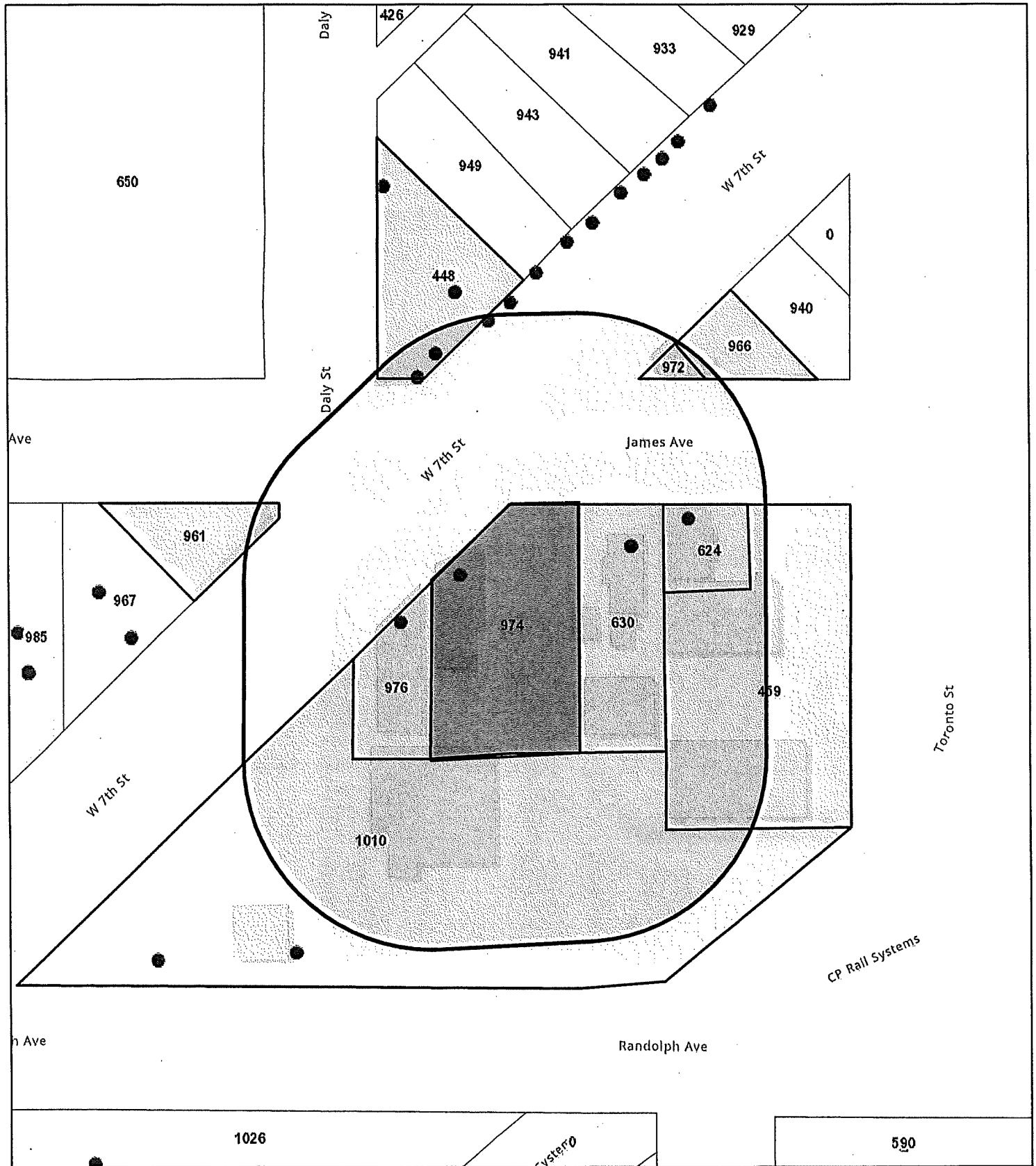
\_\_\_\_\_  
NOTARY PUBLIC

Page \_\_\_\_\_ of \_\_\_\_\_

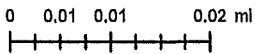
Ross Haddon DSI Inspector III / Project Facilitator 8/3/99  


# 974 7th Street West at 100 Feet Resident Map

10/17/2019 10:55 AM



**Saint Paul Minnesota**  
The most livable city in America



Sources: Esri, Alrbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, City of Saint Paul - Public Works

The Geographic Information System (GIS) Data to which this notice is attached are made available pursuant to the Minnesota Government Data Practices Act (Minnesota Statutes Chapter 13). The GIS Data are provided to you "AS IS" and without any warranty as to their performance, merchantability, or fitness for any particular purpose. The GIS Data were developed by the City of Saint Paul for its own internal business purposes. The City of Saint Paul does not represent or warrant that the GIS Data or the data documentation are error-free, complete, current, or accurate. You are responsible for any consequences resulting from your use of the GIS Data or your reliance on the GIS Data. You should consult the data documentation for this particular GIS Data to determine the limitations of the GIS Data and the precision with which the GIS Data may depict distance, direction, location, or other geographic features. If you transmit or provide the GIS Data (or any portion of it) to another user, the GIS Data must include a copy of this disclaimer.

974 7th Street West Residents at 100 Feet

Name	Address	City, State, Zip	PIN
Current Resident	974 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11
Current Resident	972 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11
Current Resident	448 DALY ST	SAINT PAUL MN 55102-3502	1.12823E+11
Current Resident	961 7TH ST W	SAINT PAUL MN 55102-3519	1.12823E+11
Current Resident	459 TORONTO ST	SAINT PAUL MN 55102-3647	1.22823E+11
Current Resident	966 7TH ST W	SAINT PAUL MN 55102-3502	1.22823E+11
Current Resident	624 JAMES AVE	SAINT PAUL MN 55102-3522	1.22823E+11
Current Resident	976 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11
Current Resident	630 JAMES AVE	SAINT PAUL MN 55102-3522	1.12823E+11
Current Resident	1010 7TH ST W	SAINT PAUL MN 55102-1692	1.12823E+11

**CITY OF SAINT PAUL**

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(name of petitioner)

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2. A copy of Section 17.07 of the City Charter and Section 409.20 of the Saint Paul Legislative Code; and acknowledge that we are aware that there is no limitation on the number of on-sale intoxicating liquor licenses in a commercial development district, except as set forth in Section 17.07.2(6) of the City Charter. We hereby consent to the petition of:

Janet Oulman  
(name of petitioner) to create/expand a commercial development district.

**We consent to the approval of this commercial development district as it was explained to us by the applicant or his/her representative.**

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1010 7th St. W.	City of Saint Paul	Priscilla [unclear] Real Estate LLC	10/28/19	
974 9th St. W	Larry Kaselle	[Signature]	10/29/19	
630 JAMES AVE	Fredrick P. Brewer	Fredrick P. Brewer	10-28-19	
974 W. 7th	W. Oulman LLC	[Signature]	10/29/19	
459 Toronto St.	Richard Handen	RICHARD HANDEN	11-4-19	

**NOTE:** The petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the City Clerk. Any signator of this petition may withdraw his/her name therefrom by written request within that time.

974 7th Street West Residents at 100 Feet

Name	Address	City, State, Zip	PIN
Current Resident	974 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11, owner
Current Resident	972 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11
Current Resident	448 DALY ST	SAINT PAUL MN 55102-3502	1.12823E+11
Current Resident	961 7TH ST W	SAINT PAUL MN 55102-3519	1.12823E+11
Current Resident	459 TORONTO ST	SAINT PAUL MN 55102-3647	1.22823E+11
Current Resident	966 7TH ST W	SAINT PAUL MN 55102-3502	1.22823E+11
Current Resident	624 JAMES AVE	SAINT PAUL MN 55102-3522	1.22823E+11
Current Resident	976 7TH ST W	SAINT PAUL MN 55102-3520	1.12823E+11
Current Resident	630 JAMES AVE	SAINT PAUL MN 55102-3522	1.12823E+11
Current Resident	1010 7TH ST W	SAINT PAUL MN 55102-1692	1.12823E+11

9 Possible Signators without owner parcel

5 signators Received

11/13/19 55.56% of Signators without owner