



**CITY OF SAINT PAUL**  
Christopher B. Coleman, Mayor

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
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DATE: August 28, 2015  
TO: Planning Commission  
FROM: Zoning Committee  
SUBJECT: Results of August 27, 2015, Zoning Committee Hearing

**NEW BUSINESS**

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
1.	<b>Joan Bassing ( 15-138-295 )</b> Reestablishment of nonconforming use as a triplex	Denial	Denial ( 4 - 0 )

**Address:** 900 Jenks Ave  
between Forest and Mendota

**District Comment:** District 5 recommended denial

**Support:** 0 people spoke, 1 letter

**Opposition:** 0 people spoke , 1 letter

**Hearing:** closed

**Motion:** Denial

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
2.	<b>Stone House Tap Room ( 15-143-784 )</b> Historic use variance for a tap house / microbrewery with food service	Approval with conditions	Approval with conditions ( 4 - 0 )

**Address:** 445 Smith Ave N  
between Goodrich and McBoal

**District Comment:** District 9 recommended approval

**Support:** 11 people spoke, 59 letters, petition with 42 signatures

**Opposition:** 3 people spoke , 7 letters, petition with 31 signatures

**Hearing:** closed

**Motion:** Approval with conditions

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
3.	<b>Stone House Tap Room ( 15-143-968 )</b> Variance for side and rear setback variances	Approval with conditions	Approval with conditions ( 4 - 0 )
	<b>Address:</b> 445 Smith Ave N between Goodrich and McBoal		
	<b>District Comment:</b> District 9 recommended approval		
	<b>Support:</b> 11 people spoke, 59 letters, petition with 42 signatures		
	<b>Opposition:</b> 3 people spoke , 7 letters, petition with 31 signatures		
	<b>Hearing:</b> closed		
	<b>Motion:</b> Approval with conditions		

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
4.	<b>Stone Saloon Parking ( 15-146-534 )</b> Variance to allow the corner of a parking space to be set back 4 inches from a lot line at the public sidewalk	Approval with conditions	Approval with conditions ( 4 - 0 )
	<b>Address:</b> 444 7th St W SE corner at Douglas		
	<b>District Comment:</b> District 9 recommended approval		
	<b>Support:</b> 11 people spoke, 59 letters, petition with 42 signatures		
	<b>Opposition:</b> 3 people spoke , 7 letters, petition with 31 signatures		
	<b>Hearing:</b> closed		
	<b>Motion:</b> Approval with conditions		

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
5.	<b>IAF 2400 University LLC ( 15-136-832 )</b> Conditional use permit for maximum building height of 75 feet	Approval with a condition	Approval with a condition ( 4 - 0 )
	<b>Address:</b> 2400 University Ave W		
	<b>District Comment:</b> District 12 recommended approval		
	<b>Support:</b> 0 people spoke, 6 letters		
	<b>Opposition:</b> 0 people spoke , 0 letters		
	<b>Hearing:</b> closed		
	<b>Motion:</b> Approval with a condition		

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
6.	<b>Timothy Niver ( 15-145-496 )</b> Reestablishment of nonconforming use for a restaurant  <b>Address:</b> 786 Randolph Ave SW corner at View  <b>District Comment:</b> District 9 made no recommendation  <b>Support:</b> 0 people spoke, 1 letter  <b>Opposition:</b> 0 people spoke , 0 letters  <b>Hearing:</b> closed  <b>Motion:</b> Approval with a condition	Approval with a condition	Approval with a condition ( 4 - 0 )

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
7.	<b>Integrity Auto Sales ( 15-144-494 )</b> Conditional use permit for outdoor auto sales and minor repair of vehicles for sale  <b>Address:</b> 501 Maryland Ave W NW corner at MacKubin  <b>District Comment:</b> District 6 recommended approval  <b>Support:</b> 0 people spoke, 1 letter  <b>Opposition:</b> 0 people spoke , 0 letters  <b>Hearing:</b> closed  <b>Motion:</b> Approval with conditions	Approval with conditions	Approval with conditions ( 4 - 0 )

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WHEREAS, Joan Bassing, File # 15-138-295, has applied for reestablishment of a nonconforming use as a triplex under the provisions of §62.109(e) of the Saint Paul Legislative Code, on property located at 900-902 Jenks Avenue, Parcel Identification Number (PIN) 28.29.22.23.0083, legally described as Nelsons Addition Lot 8 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 30 and August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests reestablishment of a nonconforming triplex use at 900-902 Jenks Avenue. It is currently approved for use as a duplex.
2. The site was approved for a conversion from a duplex to a triplex in 1949. There is no evidence that the building was deconverted to a duplex until 2009, at which time a Truth-In-Sale of Housing report lists the property as a duplex. Also, the 2010 property sale information provided in the application refers to two (2) units. Per §62.104(e), the property must abide by the zoning district regulations once a permitted use (duplex) replaces a nonconforming use (triplex).
3. The Planning Commission's triplex conversion guidelines state that staff will recommend denial unless the following guidelines are met:
  - (a) *Lot size of at least 6,000 square feet with a lot width or front footage of 50 feet.* This guideline is met. The property is greater than 6,000 square feet with a 50 foot frontage width.
  - (b) *Gross living area, after completion of triplex conversion, of at least 2,100 square feet. No unit shall be smaller than 500 square feet.* This guideline is met. The smallest unit, 900 Jenks- front, is approximately 660 square feet including 280 square feet on the 2<sup>nd</sup> floor and 380 square feet on the 3<sup>rd</sup> floor.
  - (c) *Four off-street parking spaces (non-stacked) are preferred; three spaces are the required minimum.* This guideline is met. The site has a two-car garage and a driveway wide enough for two cars, for a total of four off-street parking spaces, all accessed via the alley.
  - (d) *All remodeling work for the triplex is on the inside of the structure unless the plans*

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seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

*for exterior changes are approved by the Planning Commission or Board of Appeals. This guideline is met. No exterior changes are proposed.*

- (e) For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a triplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. This guideline is met. The property has abated all of the code violations noted in a series of recent inspections in 2015, excepting only the zoning issue addressed by this application.*
- 4. Section 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (a) The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose. This finding is not met. The property was sold to the applicant in 2010 as a duplex for \$72,500. Ramsey County estimates the current value at \$109,800. No building permits have been acquired for the property since prior to 2010.*
  - (b) The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use. This finding is met. The proposed use is the same as the previous legal nonconforming triplex use.*
  - (c) The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare. This finding is met. Adequate off-street parking is provided on the property. The conversion from a duplex to a triplex will not have a significant effect on the area's character.*
  - (d) The proposed use is consistent with the comprehensive plan. This finding is met. The Comprehensive Plan designates the site in Figure LU-B, Generalized 2030 Land Uses, as part of an Established Neighborhood, which calls for generally single- and two-family housing, but with scattered multi-family housing of higher densities such as triplexes.*
  - (e) A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use. This finding is met. The petition was found sufficient on July 10, 2015: 15 parcels eligible; 10 parcels required; 11 parcels signed.*

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Joan Bassing for reestablishment of a nonconforming use as a triplex at 900-902 Jenks Avenue is hereby denied.

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WHEREAS, Thomas Schroeder, in File # 15-143-784, has applied for a historic use variance for a tap house / microbrewery with food service in a one-family residential district under the provisions of §73.03.1 and §61.601(g) of the Saint Paul Legislative Code, on property located at 445 Smith Avenue N, Parcel Identification Number (PIN) 01.28.23.41.0179, legally described as Samuel Leeches Addition Ex S 60 Ft The Fol; Lot 14 & E 1/2 Of Lot 13 Blk 9; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests a historic use variance in order to permit establishment of a tap house and microbrewery with food service at the subject site. The historic use variance application describes the proposed uses as producing beers and sodas for on-site service and filling of growlers, and food preparation and service; the proposed uses are roughly analogous to the Zoning Code-defined uses of restaurant and craft brewery, or possibly a restaurant and a small brewery accessory to a restaurant, all of which are first permitted in the T2 zoning district. Parking will be provided off-site.
2. §73.03.1 requires that the HPC make a recommendation regarding the application based on a staff report addressing five (5) findings. Also, §73.03.1 requires the Planning Commission to make findings regarding the following:
  - (a) *The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area.* This finding can be met. A restaurant and craft brewery would be permitted in the T2 zoning district, such as is located adjacent across the alley to the northwest and elsewhere along West 7<sup>th</sup> Street. Such uses could be compatible with the surrounding residential uses if the proposed uses are maintained at a neighborhood scale and parking is not added to the property.
  - (b) *The proposed use is consistent with the comprehensive plan.* This finding is met. The proposed use is consistent with the Comprehensive Plan's Land Use Chapter that in Figure LU-B designates the site as part of an Established Neighborhood, which allows for consideration of commercial uses at the intersection of arterial and

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collector streets, such as Smith Avenue and West 7<sup>th</sup> Street (both arterials). The proposed use is also consistent with the Comprehensive Plan's Heritage Preservation Chapter as detailed in the HPC recommendation. The District 9 Area Plan Summary calls for historic storefronts to be restored to their historic condition, which is furthered by the application. It also calls for commercial land uses along West 7<sup>th</sup> Street to be confined to the 7<sup>th</sup> Street block face and not extend into the residential neighborhoods; however, the proposed historic use variance is a very limited commercial land use, not the full array of T2 or B2 uses likely envisioned by the plan.

3. §61.601(g) imposes an additional finding for a historic use variance: *The application for a historic use variance... shall be granted only to a property that is a locally designated heritage preservation site and the use variance is the minimum needed to enable the property to be used in a manner that will have the least impact upon its historic character and the character of the surrounding area.* This finding can be met. The property has been nominated for designation as a local heritage preservation site as part of the Limestone Houses Heritage Preservations Sites – such designation must be finalized in order for a historic use variance to be approved. Given the substantial investments required to restore and enhance the site's historic character, the proposed tap house / microbrewery use is the minimum needed to generate sufficient returns to enable the site to be used in a manner that has the least negative impact on its historic character and the character of the surrounding area, provided the use's scale is limited so as to lessen negative impacts on adjacent residential properties.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Thomas Schroeder for a historic use variance for a tap house / microbrewery with food service in a one-family residential district at 445 Smith Avenue N be granted subject to the following additional conditions:

1. City Council designation of the Limestone Houses Thematic Nomination, including 445 Smith Avenue, as Saint Paul Heritage Preservation Sites.
2. There shall be no off-street parking provided on the subject site.
3. Substantial compliance with the site plan submitted with the application, or as amended to comply with HPC design review. Expansion of the use on the site beyond what has been proposed in this application via building additions or outdoor patios shall require separate historic use variance application and approval.
4. Site plan review application and approval by the Zoning Administrator.

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WHEREAS, Thomas Schroeder, in File # 15-143-968, has applied for side and rear setback variances under the provisions of §61.601 of the Saint Paul Legislative Code, on property located at 445 Smith Avenue N, Parcel Identification Number (PIN) 01.28.23.41.0179, legally described as Samuel Leeches Addition Ex S 60 Ft The Fol; Lot 14 & E 1/2 Of Lot 13 Blk 9; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests variances from the R4 required minimum side and rear setbacks in order to place a reconstructed building addition and a new building addition 3 feet from the side and rear property lines. The R4 required minimum rear yard setback is 25 feet, and the minimum side yard setback is ½ the building height or 9 feet, whichever is greater.
2. The site has been nominated for local historic designation as part of the Limestone Houses Heritage Preservation Sites. Applications for a historic use variance and HPC design review on this site, and a zoning variance for an associated parking lot at 444 7<sup>th</sup> Street W. have been filed and are being processed concurrently.
3. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011: The Board of Zoning Appeals and the Planning Commission have the power to grant variances from the strict enforcement of the provisions of this code upon a finding that:
  - (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The proposed encroachments are in harmony with the general purposes and intent of the zoning code and R4 minimum setbacks, including ensuring adequate light, air, and privacy, conserving property values, and protecting from incompatible uses. The proposed encroachment into the side yard setback would be in the property's rear portion, across the alley from a commercial use (Bad Weather Brewing) zoned T2 rather than a residential use in a residential zoning district that would be more negatively affected. The proposed encroachment into the rear yard setback would most impact the adjacent property with a house facing

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in favor \_\_\_\_\_  
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Goodrich Avenue and no residential building located within 50 feet of the proposed new construction, a situation with lessened impact compared to other typical residential lot configurations.

- (b) *The variance is consistent with the comprehensive plan.* This finding is met. The requested setback variances allow the building additions to be in the rear of the historic building, thereby protecting the property from alterations that would compromise its ability to convey its historic significance as viewed from Smith Avenue, as called for in Strategy HP-4.1 of the Comprehensive Plan's Heritage Preservation Chapter.
- (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. Complying with the minimum side and rear yard setbacks for the proposed use would require diminishing the site's historic significance by placing the additions in a more prominent location closer to Smith Avenue.
- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The proposed variance is intended to deal with an existing building located close to the northern end of a wide, shallow lot.
- (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The variance from minimum side and rear yard setbacks does not permit a use that is not allowed in the R4 zoning district. A concurrent application for a historic use variance addresses the proposed use.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The proposed side yard encroachment is adjacent to a nonresidential use, and the proposed rear yard encroachment is located far from a residential building, so the area's residential character is not altered.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Thomas Schroeder for side and rear setback variances at 445 Smith Avenue N is hereby approved subject to the following additional conditions:

1. City Council designation of the Limestone Houses Thematic Nomination, including 445 Smith Avenue, as Saint Paul Heritage Preservation Sites.
2. Heritage Preservation Commission design review approval of any new construction.

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WHEREAS, Thomas Schroeder, in File # 15-146-534, has applied for a variance to allow the corner of a parking space to be set back 4 inches from a lot line at the public sidewalk under the provisions of §61.601 of the Saint Paul Legislative Code, on property located at 444 7th Street W, Parcel Identification Number (PIN) 01.28.23.41.0176, legally described as Samuel Leeches Addition That Part Of Lots 6 & 7 Blk 9 Lying Sely Of W 7th St; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests a variance from the minimum parking setbacks from the northwest lot line of 444 7<sup>th</sup> Street W and adjacent sidewalk of 4' and 7' in order to establish a 6-space parking lot to be accessed via the 16'-wide alley. Two parking spaces would encroach into the minimum setbacks, with the westernmost (most encroaching) space set back 4 inches from the lot line/sidewalk.
2. The proposed parking lot is associated with the proposed commercial use at 445 Smith Avenue, one block to the east, which is the subject of concurrent applications for a historic use variance and building setback variances.
3. The proposed 6 parking spaces are all required to meet the minimum parking requirement for 445 Smith Ave., when combined with the planned provision of bicycle parking on the Smith Ave. property. The proposed parking lot contains 5 spaces with a width of 9 feet and length of 22 feet, and 1 space with dimensions of 9' by 20'. The Zoning Code requires minimum parking space dimensions of 9' x 18'. The additional parking space size is desired for functionality; reducing the parking space size to 9' x 18' would not eliminate the need for a variance.
3. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. The Board of Zoning Appeals and the Planning Commission have the power to grant variances from the strict enforcement of the provisions of this code upon a finding that:
  - (a) *The variance is in harmony with the general purposes and intent of the zoning code.*  
This finding is met. The purpose and intent of the minimum perimeter landscape

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

against \_\_\_\_\_

setback is maintained since most of the property provides a far greater setback, thereby allowing for a generously landscaped area adjacent to the sidewalk.

- (b) *The variance is consistent with the comprehensive plan.* This finding is met. The requested setback variances allow the associated improvements to be made to the historic site at 445 Smith Ave., thereby facilitating its productive use and furthering the Comprehensive Plan's Historic Preservation Chapter, including Strategy HP 5.3 that calls for realizing the full economic potential of historic resources.
- (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The lot's triangular shape and relatively small size limit its functional viability for parking or other uses. A parking lot is a reasonable use of this T2-zoned property.
- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The lot's triangular shape and relatively small size are unique circumstances not created by the landowner.
- (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. A parking lot is a permitted use in the T2 zoning district.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The site is currently an unimproved parking lot – establishing a freshly paved and striped parking lot will not alter the area's character, nor will the requested encroachment into the minimum setbacks.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Thomas Schroeder for a variance to allow the corner of a parking space to be set back 4 inches from a lot line at the public sidewalk at 444 7th Street W is hereby approved subject to the following additional conditions:

1. 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.
2. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.

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 7<sup>th</sup> 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

**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 7<sup>th</sup> 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 7<sup>th</sup>/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 7<sup>th</sup> 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 7<sup>th</sup> 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.

Yes! Sorry the address did not come through!

Charles Stephens & Laurel Gamm  
151 Goodrich Ave  
St Paul

Sent from my iPhone

On Aug 26, 2015, at 3:14 PM, Dermody, Bill (CI-StPaul) <[bill.dermody@ci.stpaul.mn.us](mailto:bill.dermody@ci.stpaul.mn.us)> wrote:

Could you please provide your address for the record?

**From:** Chasx's [<mailto:chasx00@yahoo.com>]  
**Sent:** Wednesday, August 26, 2015 2:07 PM  
**To:** Dermody, Bill (CI-StPaul)  
**Subject:** "Stone Saloon" zoning

To:  
Barbara Wencil, Chair, Planning Commission  
Gaius Nelson, Chair, Zoning Committee

Re: Zoning for the Stone Saloon at 445 Smith Ave, St Paul

Dear Chairs,

The West Seventh Street district of St Paul is a really interesting and mixed place, in all kinds of ways. That is a big reason that we chose to live here when we moved to the Twin Cities from out-state over a year ago. We are both still working and physically active. We find the district great for what it has to offer locally, as well as its access to other areas of the region via bike trails and roads. We are here for the long haul.

Part of our attraction to the area is the historic feel of the place, both its residences and businesses and the people who inhabit them, all in the setting of steadily progressing modern city. Progress means change and change always comes with a tinge of sadness for the loss of what had been before. Alas, I am still sorely grieving the loss of Seven Corners Hardware!

Turning the building at 445 Smith Ave (back) into a business by creating the Stone Saloon will be a big change for the building and that particular block. Having sat through the Historic Preservation Commission meeting recently, I know that some of the neighbors living closest to the building are concerned about what the change might bring, with most worries centered on the sort of people and noise that will accompany a new "bar" on the block. I sympathize with their concerns.

That portion of Smith is a very busy trunk highway (try crossing the street around 4:30 PM some weekday!), so is already an active and often noisy street. The Saloon is envisioned as more than



a bar, more like a community gathering place. The fact that it is a historical structure being re-done in a painstakingly historical manner is also a difference. Most importantly, the owner, Tom Schroeder, is a big difference and a gem for the city. He himself is a close-by neighbor of the Saloon and has made huge and continuing efforts to reach out to all of the neighbors about this project. Maintaining a great life for the neighborhood is what he and this project are all about. We are lucky to be part of such a neighborhood and to be able to know Tom, who cares so deeply about the continuing improvement of the West Seventh district.

We encourage the City to allow this interesting and historic business to take shape in our neighborhood.

Charles Stephens  
Laurel Gamm

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Hello,

I am writing you to show my support for the Stone Saloon. I currently rent an apartment very close to the Stone Saloon and feel it would be only positive things to the neighborhood. One of the main draws to St. Paul, and particularly this neighborhood, was the mix of residential with businesses within close walking distance. I work from home quite a bit, and having a variety of options to frequent has been great. Being a young working professional it definately helps to maintain a healthy work life balance having places within walking distance.

To speak directly about the Stone Saloon, I feel as though this is a casual place where neighbors can visit a piece of St. Paul history. I personally do not see this establishment as being a normal bar persay, in terms of it causing distrupction in the streets and harm to our homes. Of course as we are in a city, there may be some, but that is what makes this neighborhood. I also feel as though Mr. Schroeder, being from the neighborhood, has a greater investment in making a better place. He has taken great lengths to adress concerns that are manageable. I feel this would be a great addition to an already great neighborhood.

Thank you for your time and consideration,

Vanessa Trobec  
208 Mc Boal St. #1  
St. Paul, MN 55102

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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]

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Barbara Wenzl, 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 Bonfies 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 Bonfies, We have noises at all hours of the day from traffic. Bonfies 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 establiments (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 meefing 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 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

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I am writing to express support of Tom Schroeder's Historic Use Variance application for the Stone Saloon. Mr. Schroeder's rehabilitation goals will revive the original character and purpose of the Stone Saloon, the oldest extant commercial building in St. Paul.

The project is compatible with its neighborhood, a vibrant community with a healthy mix of commercial and residential spaces. The Stone Saloon will provide locals and

visitors alike with an educational yet social historic experience, not only complementing but enhancing its neighborhood.

The Preservation Alliance of Minnesota is committed to promoting community assets and neighborhood engagement. The Schroeders' passion for the Stone Saloon has generated overwhelming support from neighbors and a renewed interest in a forgotten piece of local history.

On behalf of the Preservation Alliance of Minnesota, I am proud to add my support to this project and request that you recommend approval of the Historic Use Variance.

**Doug Gasek**

Executive Director | Preservation Alliance of Minnesota

(w) 651.293.9047

[dgasek@mnpreservation.org](mailto:dgasek@mnpreservation.org)

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To:

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

From:

Jason Rogers Swanson  
201 McBoal St  
St. Paul MN 55102  
614-670-2768

Barbara, Gaius, Bill, Planning Commission, and Zoning Committee,  
I live with my family (wife and 2 young boys) at 201 McBoal St (less than 200 feet from the Stone Saloon), and have for the past 10 years. I am sending this letter in strong support of the Stone Saloon being located in my neighborhood.

Please consider my points below as I am unable to attend the meeting today as a result of business travel:

- We purchased our house, ten years ago, in a historically mixed use neighborhood (nestled among bars, restaurants, coffee shops, small businesses, etc...) with the understanding that we live in the city, that all of these businesses existed, and that over time they would change.

- Any person that has purchased a house in the immediate neighborhood should have understood the same - I don't think there has been a point in the history of St. Paul that the West 7th / Smith Ave. corridor has been strictly residential.
- I chose to raise my family here. There is diversity. There is positive change. There are amazing neighbors. There are great businesses. We have the ability to walk to nearly any amenity that we need (including professional sports, nationally recognized museums, shopping, eating, night-life, and in my opinion, one of the best coffee shops in the world (Claddagh) and I welcome the Stone Saloon to be on that list. I will gladly bring my children there to experience history.
- Our neighbor, Vanessa Trobec (who lives in the first floor apartment of 208 McBoal), moved back to St. Paul, and to this neighborhood because of the vibrance that is growing through businesses such as the Stone Saloon and Bad Weather Brewing. She cites that they are two of the deciding factors for moving to this neighborhood. She is a "young professional" and welcomes the opportunity to gather at these upscale locations with friends and neighbors.
- The Stone Saloon, like Bad Weather, is not a "bar" as many have stated. The Stone Saloon will operate with earlier hours (from my understanding the same as an upscale restaurant - closing before midnight). The clientele that the Stone Saloon will attract will not be people that will be "vomiting on the blvd", "urinating in the alley", or a variety of other stereotypical activities that have been unfairly associated with this (and other) establishments.
- Since we have been in the neighborhood, we have seen a dramatic amount of positive change - the tire shop turning into a micro-brewery, the adult bookstore turning into a coffee shop, the historic house across the street from 201 McBoal stripped of its historic guts and turned into a modern rental property, a speedometer repair shop turned into an award winning tattoo and piercing parlor. Prior to us moving in, Bonfe's added an addition to a parking lot. A service station on Smith Ave. was turned into a residence and art studio, and the list can go on... We need to embrace change, challenge the status quo, and not be frightened of what *might* happen.
- The stone saloon is being brought back to life and bringing more life to the neighborhood by a group of award winning researchers, architects, designers, and builders - this is no hobby, and these are not amateurs.
- The neighborhood should welcome the opportunity to host such a historically significant property operating as it originally operated, serving the original lagers that were served during the Civil War, and sharing the history with as many as possible.
- There are only a handful of establishments similar to this in the United States (most are located on the East Coast). I am confident that the addition of the Stone Saloon to the neighborhood will only have a positive effect on not only the neighborhood, but on the City of St. Paul.
- 

I could go on to list and refute arguments about noise and people coming into the neighborhood, but I am confident that all of you understand that we live in the city, there will be traffic (both on foot, and by vehicle) and there will be noise at all hours of the day. Everyone in the neighborhood bought a house in the city and understands that - whether they choose to admit that or not!

My family welcomes the Stone Saloon, my neighbors welcome the Stone Saloon, my friends and family welcome the Stone Saloon. We are all excited for the positive changes that it will bring to our vibrant, thriving neighborhood and city.

I am excited to continue to raise my family in the neighborhood within a stone's throw of the Stone Saloon.

Jason Swanson CFI  
 Asset Protection  
 Abercrombie & Fitch  
[Jason\\_Swanson@abercrombie.com](mailto:Jason_Swanson@abercrombie.com)  
 Fax - 614.283.8278  
 Cell - 614.670.2768

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Dear Ms. Wencil, Mr. Nelson and Mr. Dermody,

I am writing on behalf, and in strong support, of The Stone Saloon project. This is the limestone structure at 445 Smith Avenue being meticulously restored and refurbished with hopes of re-opening as a German lager taproom, it's original purpose. As the chairs of the Planning Commission and Zoning Committee, and the City Planner for the City of St. Paul respectively, I most strongly urge you to vote in favor of this project. I think you will find it to be not only compatible with it's neighborhood but complementary to it. I also firmly believe that this project will sensitively spur interest in local preservation and the history of both it's immediate neighborhood and the greater Saint Paul area.

I am a life long resident of the Twin Cities, and a ~23 year resident of Saint Paul. For the last 15 years, I have lived on the West Side, just over the High Bridge from the Stone Saloon. Not only am I a resident, I am an amateur historian, and a local booster of the region. A house is nothing without it's foundation, and a city is nothing without it's history. I have passed the Stone Saloon a couple of times a day for 15 years, and have been intrigued by it's story. It stands out from it's neighbors not just because of the size and architecture, but also because of the medium with which it was built. To say that it has captivated me would be an understatement.

With the daily traffic over the High Bridge, The Stone Saloon is perfectly poised to capture the attention of the commuting public. With it's prime location next to the river, I feel it will captivate others as it did me. Actually, it already has. Visitors and neighbors have asked me about it. Then, by tying that "eye catch" back into the history of the region by resurrecting it's original function, I am certain that this will generate an intense interest in not only the structure itself, but the history of the neighborhood and the greater city. Yes, I really do think that re-opening this unique, highly visible, highly accessible structure for it's original purpose will benefit historical interest in the region and assist preservation efforts for future projects.

As I am sure you are aware, the Heritage Preservation Commission unanimously supported this project just two weeks ago by recommending historic designation (along with it's sister structures) and an historic use variance (the first for the City of Saint Paul) to re-open as a German lager saloon, it's original purpose. By doing so, they recognized it's significance not only to the past, but the the future of the City of Saint Paul.

I think the word "saloon" brings up certain stereotypes. Although that is the appropriate name for this project, given it's historical meaning, I don't feel that it accurately represents the type of business it will become. Given it's "bones," I think that the Stone Saloon will be more of neighborhood taproom, micro-brewery, and "intellectual salon," a place where neighbors can gather and exchange ideas over a local beer.

Having a taproom like the Stone Saloon will be a complement to the area. Of course, it's architecture and location make it stand out. However, it's focus on historic German lager will give it a niche unoccupied by other establishments, and directly ties into the immigrants who settled the region. In addition, it's small size helps set it apart. People will be drawn to it for all of these reasons, but I expect it's atmosphere to be more like the salons of the Enlightenment or the coffee houses of Vienna at the turn of the last century or even like "Cheers...[a bar] where everybody knows your name" than like the atmosphere at other taprooms, pubs, or bars. I think this because the space and the history will nudge it's patrons in that direction. They will be

inspired by their surroundings to imbibe, yes, but also to contemplate and to connect. Isn't this what architecture and history are supposed to do?! Well, the Stone Saloon easily does both.

Saint Paul is a city. Uppertown is an urban community within Saint Paul. All across the country, including the Twin Cities, people are moving back into once neglected urban cores. One reason for this re-population is the desire to live in a dynamic place. More and more people, including millennials and retirees, want to live in mixed-use communities, where they can safely and comfortably walk from their home to their favorite coffee shop, deli, boutique, and "watering hole." The uniqueness of the Stone Saloon project will offer just that kind of opportunity for the citizens of Uppertown and the West Seventh area.

Thomas Schroeder, the owner of the property, lives within a block of this project and has for a very long time. He has long been committed to the best interests of the City of Saint Paul, and the Uppertown community. Indeed, he has chosen to raise his family in that community. Not only is Mr. Schroeder been a friendly and supportive neighbor, he has been a good steward of its history. He has gone to great lengths to carefully research this project and has been sensitive and transparent to the community. His patronage of the Stone Saloon has resurrected a unique part of Saint Paul's history, and his intentions to re-open it for its original purpose will ensure its rightful place of honor long into the future. Without his efforts, this property would have continued to languish as just another relic of the past, eventually succumbing to neglect and gravity. This gentrification will ultimately make Uppertown a safer, more vibrant community, a place where people will want to live and work and relax.

I appreciate the task in front of you. Please support the Stone Saloon and this unique opportunity to re-open a formerly dilapidated historic gem as a tap house and microbrewery. You will be doing Uppertown and Saint Paul a great favor. If you have any questions, please contact me.

Most sincerely,

Tony Lewno  
220 King Street W  
Saint Paul, MN 55107

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To: Barbara Wencil, Chair, Planning Commission  
Gaius Nelson, Chair, Zoning Committee  
c/o Bill Dermody, City Planner  
[bill.dermody@ci.stpaul.mn.us](mailto:bill.dermody@ci.stpaul.mn.us)

August 27, 2015, We hoped to attend the meeting today in support but sadly cannot.

Dear St Paul Planning Commmission/Zoning Committees:

**We are writing in support of the new use and variances applied for by Tom Schroeder and the proposed Stone Saloon new use at 445 Smith Ave.**

**We have lived at 434 Cherokee Ave (within 1/2 mile of 445 Smith Ave.) for 30 years and have been hopeful that this limestone building will be saved and have a new use as an historic lager saloon!**



- We feel the Stone Saloon meets all the criteria of the historic use variance and passage in favor of the Stone Saloon is vital to the cause of Historic Preservation in St Paul.
- We support the use of the building as an "historic saloon" and urge you to say YES and grant the variances.
- The Stone Saloon is a vital component of the new collective of historic structures for preservation as the oldest
- business structure of limestone still standing in St Paul.
- The historic use/re-use as a saloon is compatible with the historic zoning and the surrounding mixed-use business zoning area.
- It will provide a museum-like atmosphere where families can gather to learn about the early settlement of Upper Town and Fort Road.
- The unique proposal of serving German Lager that is prepared using historic techniques will be educational and an enhancement as well as a needed alternative to the already existing the mix of businesses and restaurants in the immediate area.
- The proposal of providing hand brewed non-alcoholic Root Beer will be fun for children and families to consume there.
- An historic saloon will NOT attract hooligans or disruptive persons to the neighborhood because those problem folks typically are not interested in a museum-like atmosphere or family-oriented drinking establishments and will want to go elsewhere.
- Many people will arrive by walking and bicycling to the saloon as we plan to do.

Thank you for supporting this new use as a saloon and for saving 445 Smith Ave for future generations to enjoy!

Gayle Whitney and Steven Komula  
434 Cherokee Ave  
St Paul, MN 55107

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Dear Barbara Wencil, and Gaius Nelson, (c/o Bill Dermody),

Please consider this email in support of today's Zoning Committee hearing to grant the Stone Saloon a zoning change. I grew up less than a block from the building and after college lived within a block of the structure until I was 28. I renovated an 1870's house at 151 Goodrich Ave. (<http://www.yusthaus.com/project/yusthaus> - also about a block from the Stone Saloon) for over 2 years; returning the structure to it's original glory by restoring the wooden clapboard siding, original floors, original decorative wood trim and detailing, etc... I have also helped my parents, who have lived in the neighborhood since the early 1970's, with multiple 19th century home restoration projects, all keeping with the history and character of one of the most historic neighborhoods in Minnesota. My Dad always insisted on the most historically accurate decisions for these buildings - like real wooden shingles - even if it meant more maintenance and money in the long run.

While growing up I also witnessed my parents unrelenting dedication to this historic neighborhood. As past executives of the Fort Road Federation they fought redlining initiatives, trucking routes, etc... which if successful would have torn the neighborhood apart and led to more degradation of the historic homes in the area.

My Dad, John Yust, is the architect of the Stone Saloon, he is a former employee at the Minnesota Historical Society, and probably done more 19th century restoration design work and advocacy than any other architect in the state. His efforts in support of Tom Schroeder mean the Stone Saloon is in the safe hands of a bona fide historic preservation dream team.

My work has subsequently led me to New York and San Francisco which are places dense with historic structures and preservation efforts. I can safely say that this project and its authenticity will put many of them to shame. I mention the

project to each new colleague and friend I connect with in my travels and have only ever received a response of "How soon can I visit?". I believe this speaks to the reach this project will have beyond Minnesota.

Please grant this zoning change, there are few words to describe how much this project means to the neighborhood, to historic preservation in MN, and to all the people who have unflinchingly poured so much time, money, sweat, craftsmanship, and historical research into the building.

Sincerely,  
Charles Yust

380 Frederick St.  
San Francisco, CA 94117

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[www.yusthaus.com](http://www.yusthaus.com)

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- To: Barbara Wencil, Chair, Planning Commission  
Gaius Nelson, Chair, Zoning Committee  
c/o Bill Dermody, City Planner  
[bill.dermody@ci.stpaul.mn.us](mailto:bill.dermody@ci.stpaul.mn.us)

To Zoning Committee Members;

As a long time 40 year resident of the neighborhood in which the old Stone Saloon stands, I wish to add my voice to the chorus asking you to act to allow this remarkable project to proceed. As you seek to come to a just decision, we trust that you will not be unduly swayed by critics and nay-sayers who contrive to place fearful real and imagined obstacles in the path of this project. We are a diverse community. There is room for many more flowers to blossom here.

Thank You,  
David Christofferson  
267 Goodhue  
St. Paul, MN 55192

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

We've been following the progress of the Stone Saloon project and we felt we should send a message to communicate our support of this interesting and important project in the City of St. Paul, and specifically, the West End.

This project builds on the opportunity to experience history in a way that St. Paul does so well, with venues such as the Alexander Ramsey House, the James J. Hill House, The Minnesota History Center, to name just a few. And the West 7th neighborhood is a community that's always been especially proud of its cultural heritage. Witness the German Fest, the Czech and Slovak Festival, and the Italian-American traditions of Mancini's and Cossetta's.

St. Paul has always had a reputation for valuing and appreciating its history. Some historical experiences in the city have an emphasis on food, others have an emphasis on architecture. This project combines the best of both of those worlds. It is a revival of an important piece of St. Paul's history — one that will attract aficionados, not rowdy crowds. We're not aware of any other venue in the Twin Cities where the food and beverages are also true to the period, either, and this provides another layer to the historical experience.

There are so many improvements to existing buildings (The Pilney Building and the Schmidt Artist Lofts), and new buildings (The Peter King Health Center and the West 7th Fire Station), that this project feels right at home.

Chris and Michele Boone  
Owners of the Pilney Building  
1032 West Seventh Street  
Saint Paul 55102  
651-274-3054

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Paulette Myers-Rich and David Rich, 436 Smith Avenue N., St. Paul 55102

August 18, 2015

To the St. Paul Planning Commission Zoning Committee regarding the historic use variance for 445 Smith Avenue North as a tap room and microbrewery with food service and parking variance.  
File #15-143-784, 15-143-968, 15-146-534

We are submitting this letter, as we cannot attend the August 27<sup>th</sup> meeting. Please take this as our testimony and also as a rebuttal regarding much of what has been written in support of the microbrewery with taproom and food service proposal for 445 Smith Avenue N. It is long and detailed, but we request that this letter be read in full and taken as seriously as the multi-paged application for the variance is.

After much deliberation and ambivalence, we are writing to say for the record that despite earlier signing a petition of support of Tom Schroeder's plans for this site, we have rescinded that signature in favor of a less impactful plan for 445 Smith. Based on recent experience, we now believe this plan is too intense for our neighborhood. We know that the Fort Road Federation has voiced support for this project but it must not be aware of the opposition of a majority of the immediate neighbors. We reviewed the HPC packet online and saw that a large majority of the support for this project comes from outside our neighborhood and from outside the city. However, many of our neighbors did testify against the project at the HPC hearing on August 13<sup>th</sup> as well as signing a petition opposing this variance. Most of those signatories live within 100 feet or less.

Residential property owner's personal response

We've reviewed the staff report for this hearing and the many letters written on behalf of the "Stone Saloon." We must say that we are disheartened at some of the area community and business representatives' disregard for the immediate households on Smith and Goodrich adjoining the site. Many have written how this will be a "wonderful community gathering space" for Schroeder's supporters and tourists near and far. And how our neighborhood "needs" this use. The "Stone Saloon" has been widely promoted by the owner Tom Schroeder in the media and his letters of support show that much of it comes from outside the historic Uppertown neighborhood. However, this support is in complete disregard for the immediate neighbor's opposition to the variance requested by Schroeder for his renovation plans, which have changed substantially since he first acquired 445 Smith.

In particular, one influential community leader who we have worked with since the early days of the West End Garden Tour, Kent Petterson, writes in his letter:

*"My opinion is that Smith Avenue is not a long term desired location for a home, while this idea (German Lager Saloon) hits the sweet spot."*

This is particularly appalling to us, as our home at 436 Smith was on the first Garden Tour and our son's home, adjoining the back of our building at 208 McBoal was on the garden tour this spring and also four years ago. We have worked very hard renovating two derelict properties on the immediate block in question. The residence at 208 McBoal was a HUD Section 8 foreclosure abandoned by an absentee owner, creating a Category 2 vacant building with squatters. We bought it in 2011, renovated and landscaped it beautifully, providing peace and quiet to our neighbors John Yust and Tom Schroeder. Our property at 208 McBoal adjoins the Martin Weber house at 202 McBoal, a newly designated historic limestone house, and has improved that property's quality tremendously. It also provides a stable home and office for our son who is a writer, and a lovely rental unit that has

attracted young professionals to our neighborhood. Our present tenant also works at home, as many of us in the neighborhood do.

We find life on Smith and the immediate block quite desirable and have lived here for 13 years. Our son moved here from Lowertown and has lived here for 4 years. We have no interest in leaving and do not see this as a sub-par street. In fact we see this block as already a very "sweet spot" indeed. In addition, our hard work and large investment of capital into these two properties that are in very close proximity to two historic limestone houses has offered stability and favorable contexts that would not be present had we not made our investments, which are considerable.

The residents on Smith love their neighborhood and have many decades of life on this street in this primarily working-class neighborhood of single-family homes and rental units, including several tenant-neighbors who have been here for nearly a decade or more. It's insulting to hear that our block isn't desirable, or that we and our homes and properties are less than, in favor of this perceived "improvement" via a "historic" German Lager Saloon and microbrewery with food service.

And despite Schroeder's testimony in his application, this is primarily a residential block with many other historic structures and is under consideration as a historic residential district. We refute his points in the Staff Report. As a part of his application, Schroeder writes:

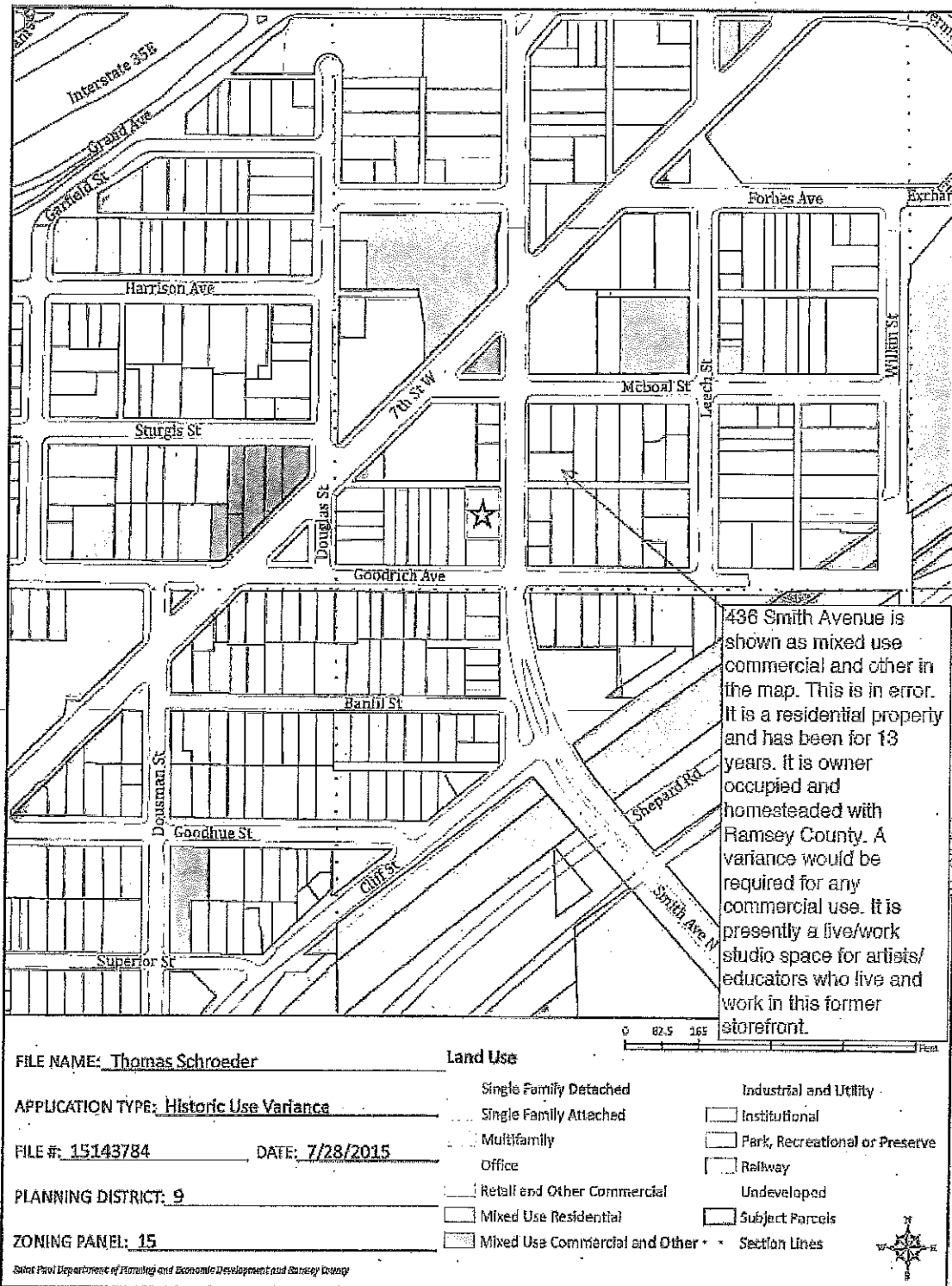
d. The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area:

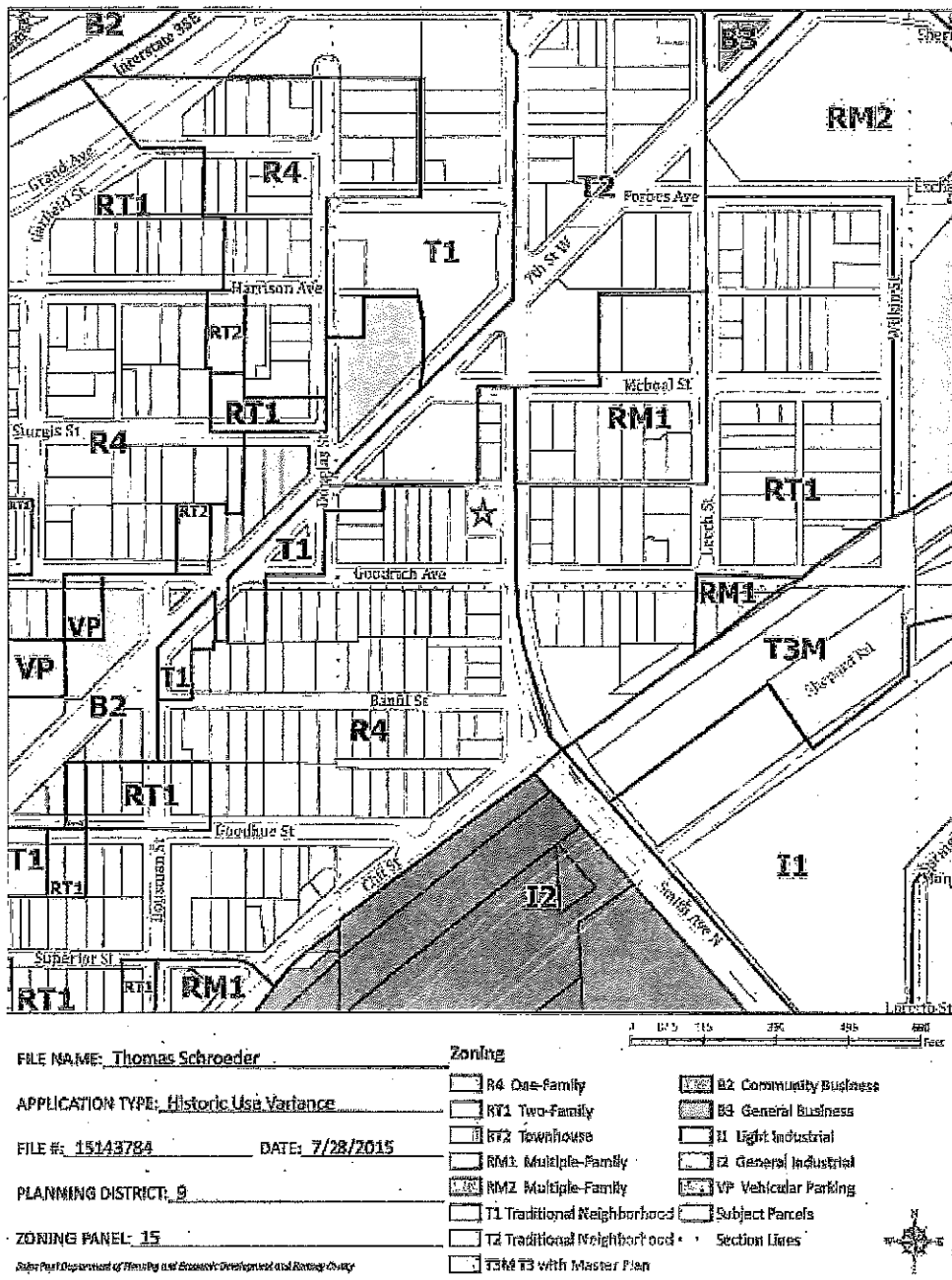
*"The use of the Stone Saloon as a tap house/microbrewery is similar (although smaller in scale) to the current use of a much larger and partly contiguous TN2 site immediately across the 16'-wide alley to the northwest (also adjoining three residences to the northeast), newly operating as Bad Weather Brewery (not yet operating)... Garafolo's Automotive Repair operated from a T1 parcel approximately 180 feet down the alley from the Stone Saloon. A flat-roofed former factory building turned used clothing store turned artists' studio lies immediately across Smith Avenue...to the north of the Stone Saloon. (our residence at 436 Smith) Bonfe's Auto Repair lies approximately 300 feet north and across Smith Avenue in T2 zoning. (This auto body shop would never be approved as a new business adjoining a block of residences today). With the immediate neighborhood and along W. 7<sup>th</sup> St. numerous T1-T2-B2 and B3 zoned parcels sit immediately adjacent to R4 and other residential zoning classifications. The proposed use for the Stone Saloon is compatible with this mix of commercial and residential classifications in the immediate and surrounding areas..."*

-Tom Schroeder (comments in parens. mine).

Schroeder's narrative is asserting that this block is not as residential as it actually is. (See zoning maps below.) It is true that there are a few commercial enterprises nearby, but they are very low key. Schroeder mentions Garafolo's Automotive Repair on Goodrich on the alley, but fails to mention it is also the site of their residence. Digideo's is across on W. 7<sup>th</sup> however; a large bermed park with trees buffers our homes from it. Bonfe's Auto Body closes at 5 pm weekdays and is not open on weekends. The verdict is out on Bad Weather Brewery, as the business has not yet opened. It is not yet operating as Schroeder states.

Not mentioned is the nearby Smith Avenue North High Bridge Garden and Sculpture Park, which is a neighborhood gathering space. We have worked on many of the projects there including the rebuilding of the well-known "Green Chair," the St. Stan's Baptismal Gates project, planting pollinator gardens and maintaining and cleaning the park. This is a family destination with beautiful views of the river below.





Despite Schroeder's above testimony "With the immediate neighborhood and along W. 7<sup>th</sup> St. numerous T1-T2-B2 and B3 zoned parcels sit immediately adjacent to R4 and other residential zoning classifications, you can see in the above map, there are no such zones in the immediate area of 445 Smith Avenue. The B-3 mixed use commercial has many storefronts with residences above and is across W. 7<sup>th</sup> from our block. The adjacent T-2 site is Bad Weather Brewery, which is not operational at this time. It is in a permitted zone, but we also fear disturbances from this site. The T-3M zone is below the High Bridge and river bluff, The T-1 and T-2 zones nearby are the Salvation Army and United Hospital. The Labor Union office building is about to be built nearby in the T-2 area on Smith. There is a gas station well on the other side of Smith and W. 7<sup>th</sup> but it also adjoins a few historic but derelict houses on that stretch of Smith. The primary occupants of the mixed-use zones are primarily social service entities, storefronts and offices with residences on Smith and W. 7<sup>th</sup> that have an entirely different impact from entertainment, tourism and hospitality operations that have late hours and large numbers of customers. And they are all on the other side of W. 7<sup>th</sup>, not in "immediate" proximity to our R-4/RM-1/RT-1 blocks.

Schroeder also fails to mention the Salvation Army, (closer to 445 Smith than Digideo's is), which houses services for the homeless, daycare, after school programs, breakfast program, food pantry, voting and church services. He fails to mention the Women of Nations Shelter on Leech St. at the NW corner of McBoal, where many women and their children experiencing domestic abuse are housed while in crisis. He doesn't mention the Seventh Day Adventist Church on Leech St. at the NE corner of McBoal, a community that discourages the use of alcohol and promotes healthful living. One more drinking establishment in a neighborhood with many residents in recovery and in need of social services and where they worship is not harmonious in my opinion. I'm quite certain that these organizations would not see the use of 445 Smith as a German Lager Saloon as a "sweet spot." Indeed, they may be unaware of the plans, as I see no response from these communities. They may know but be too short staffed to respond. Regardless, they are a significant part of our community and of the equation of what's a harmonious use in the context of the immediate area.

Schroeder refers in his zoning narrative to the "*flat roofed factory building turned artist's studio*" which is our private residence and studio space at 436 Smith. We can promise you that a bar directly across the street from our building is not compatible with our private or professional life. Paulette Myers-Rich's studio is in the front of the building on Smith and is where she does her writing, research and meticulous fine press bookwork, which is well respected and collected internationally. Her work is held in the MNHS Library and Archives and she has received 3 Minnesota Book Awards for work made in this studio. Unit #3 at 208 McBoal is her study room and artist book library where guests and scholars can do research and access a substantial collection of Minnesota-based book art. David is a painter and art educator for over four decades and exhibits his work internationally. We are both in the collections of the Walker Art Center. Our son is a nationally known writer and works at the home he owns in partnership with us at 208 McBoal, behind our building. We share the back yard as a restful environment away from the street. We live part-time in New York City in the winter months and return to our residence on Smith for 6-9 months each spring to work in our studios and enjoy our gardens and outdoor spaces both front and back. The use of 445 Smith would disrupt the peaceful use of our live and workspaces especially during the summer.

### Chronology

The renovation of the stone house began at a modest scale with the intention of saving it from demolition. Tom Schroeder has always talked with his neighbors and spoke to us of his plans from the earliest moment, prior to even buying the property in 2008, which was then a Category 3 vacant building. We were ever so grateful to him for saving the house. Tom's original stated use was that it would be residential, and that his brother-in-law was thinking of living there and using it for a violin repair shop. We supported that use and thought it would be a very good fit.

Tom also bought and demolished a problem property two doors down from 445 Smith, which was vacant and derelict in order to renovate the stone house due to shared water mains. We supported that as the property was beyond reclamation and if it was necessary for the renovation of the stone house, then so be it.

However, over time, Tom's plans grew more and more ambitious. He bought out our neighbor, the owner of the adjoining "Charles Palmer" house (seen in the photo below on the left of the stone house) and arranged for it to be moved. We opposed this and talked to him about having it shifted over to the adjoining lot to fill in the huge open space that remains from the first house Tom had demolished. But he decided to stage things in favor of his ever expanding "Stone Saloon" plan despite nearby neighbor's opposition, which has been clearly and frequently expressed to him.

The stone house and the recently combined lots have primarily been residential property throughout its history. Despite the discovery of its initial commercial use, that origin isn't sufficient to override what is indeed, a residential neighborhood and overturning its residential zoning code in order to



return to some short-term "original use" is disingenuous at best. Much of the long-time context of the site has been utterly demolished and removed by the applicant as he is intent on building new structures for commercial use on the residential R-4 zoned lots adjoining 445 Smith by combining them into one site. It is quite obvious this is not a truly historic use of these sites, and absolutely not an appropriate one for this R-4 single-family housing zone. In the case of 445 Smith, we consider the new Historic Use Variance as actually a form of "spot" zoning, defined as creating an island by singling out a parcel for special privileges not consistent with surrounding uses. The practice is illegal in Minnesota.

On his website about this project, (which has been promoted heavily in the media before all variances and permits have been given), Schroeder states:

*It wasn't until Tom and Ann Schroeder bought the "house" in 2008 that the building's actual history was uncovered. As the Schroeders and local architect John Yust carefully deconstructed the interior of the building, they found baseboards and finished plasterwork mysteriously running behind the front wall. That evidence, combined with the odd position of the front door and a significant fault line in the front exterior wall, made it clear that someone had filled in an original commercial façade with matching limestone masonry as part of a 125-year old residential rehab.*

The commercial facade was filled in to turn it into a single-family home, which has been its primary use since 1864. Despite this part of the site's history, Schroeder writes as though the 145-year use of this structure as a residence is moot. The speculated upon short-term use as a saloon is interesting, however it doesn't override the fact that this property was converted into and used as a residence for well over a century and is in an R-4 zone.

The stone house's brief use as a saloon is not more significant than, nor does it trump the residential nature of the households who once lived at 445 Smith and especially those who currently live and work in the adjoining properties whose lives will be disrupted by such an intense use of these residential sites. Furthermore, the adjoining lots being brought into this plan were always residential housing. The house at 457 Smith adjoining the south of this combined site of 445 Smith is a Category 2 vacant building presently owned by the HRA as a part of the Invest St. Paul program and is soon to be rehabbed for sale as a single-family residence. It will be difficult to recruit an owner occupant to purchase this property next to such a public and active site such as this "historic" Stone Saloon. Adding to the intensive impact on our neighborhood is the Bad Weather Brewery site adjoining 445 Smith Avenue that will share pedestrian, car and truck traffic in the alley that is also the only access to many resident's off street parking and trash containers. (See photo below).



After reflecting on Tom Schroeder's plans and in speaking with our immediate neighbors, we spoke with Tom face-to-face a few weeks ago just before the HPC hearing and told him our concerns about the scale of the project. Tom asked for the benefit of the doubt assuring us that the Stone Saloon and microbrewery and historic site project would not have a negative impact on the block, as it won't be that kind of establishment and he would personally see to that. We gave him that benefit and chose to not testify against this project at the HPC hearing on August 13. However, the in the evening after the hearing, he held a gathering at 445 Smith for Civil War re-enactors and despite Tom's assurances the gathering was indeed disruptive due to the very nature of the built environment. It's simply not possible to have a gathering in our neighborhood without it affecting the nearby neighbors. We all have gatherings from time to time but they are low key and infrequent. This will be a daily and nightly occurrence and we can't withstand such disruption in our homes and work life.

### Neighborhood History and Context

Several of us on Smith, Goodrich and McBoal perform our professional work in our homes, and many others are workers with early morning start times for their jobs. There are children who get up early for school and need to do their homework. There are elders who have health challenges. We have struggled long and hard to acquire a peaceful quality of life for our block after years of disruptive properties and are dismayed that we may suffer a disruptive environment once again. This is a residential neighborhood and this project is out of scale for its context. It will damage the quality of life for those who are in this historic residential neighborhood unless there are conditions that meet the needs of this residential zone.

Tom Schroeder has stated that "the highest and best use" for 445 Smith is as the "Stone Saloon." Many disagree, including the HPC Staff Report for a Historic Use Variance:

6. The use variance is the minimum needed to enable the property to be used in a manner that will have *the least impact upon its historic character and the character of the surrounding area.*

*This finding is not met. Other uses, such as single-family housing or a live-work unit with a small office on the first floor would not require a large building addition, the demolition of the circa 1885 addition or the moving of the nearby circa 1870's cottage outside the potential West Seventh Street historic district, and therefore would have less impact on the site's and neighborhood's historic character.* (itals. mine). The 2011 Mead and Hunt survey recommended this four block area for historic designation given it possibly represents the largest collection of the earliest houses constructed in the City. These Pre-Civil War houses are primarily modest vernacular forms or more formal Federal and Greek Revival architectural styles. By 1925 there were four buildings on one lot (445 to 457 Smith), all oriented at the front sidewalk and three of them were very close together. The overall character of this area is of modest homes, some with multiple dwellings on one lot and few accessory structures.

The house at 445 Smith can still become a lovely single family home, much as the Schillinger-Brings House at 178 Goodrich. They are in fact very similar structures. (See photos below). The "commercial storefront" window would suit a single family home as it is very much in that style. (See attached HPC Report) If Tom Schroeder is stating that he didn't create the hardship he is having with the expense of renovating this site that is disingenuous. He didn't have to purchase the Charles Palmer house next door. But the fact is he did in order to have it moved. Instead, he could have sold it with the condition that this historic worker's cottage be moved to his adjoining lot and restored, using those funds for his stone house. Doing this would have added so much charm to Smith Avenue and be much more authentic than what he is proposing. Instead, nearly all the early authenticity of those two additional residential sites combined into his one lot has been demolished or removed by Tom Schroeder in order to fulfill his goal of opening a "historic" bar and restaurant, which is the proposed use. This is not true historic preservation of this section of Smith Avenue.

Tom Schroeder is much more enthralled with his speculative version of Uppertown's history and primarily concerned with his personal priorities rather than the quality of life and restoration of other nearby historic Smith Avenue houses. Despite pleas from his neighbors to not move the Charles Palmer cottage, and concerns about our quality of life and peaceful use of our homes and our occupations being disrupted by this saloon and microbrewery on Smith Avenue he has forged ahead.

Schroeder began renovating 445 Smith six years ago knowing it was residential. When he decided to do the Stone Saloon project, he lobbied hard for this new Historic Use Variance with the HPC to be passed at City Hall. He has heavily promoted it in the media despite the many conversations neighbors have had with him in opposition to various aspects of his project. To say he didn't have a hand in any "hardship" that he may find himself in is a fiction. He has been an active agent with a single-minded plan before variances for such a use, historic or otherwise, have been granted. This is a project not permitted on a residential block, as we all know. It is why he has worked so hard to promote it with those in power and with other history enthusiasts while ignoring his immediate neighbors. It appears to be spot zoning by and for this applicant by many people, including adjoining property owners who are skeptical of this project.

Schillinger-Brings House at 178 Goodrich.



Anthony Waldman House, camera facing southwest.

Anthony Waldman house at 445 Smith Avenue.

Schroeder and many of his supporters have stated that it is not economically possible to do this restoration project without the economic support of the income generated by the saloon, hence the "hardship." This proposed project promises to be even more expensive with the addition of the outbuildings, the fittings for a microbrewery with kitchen and staff to manage it all, than it would be to simply repair or replace the rear addition of the stone house, so that claim is not convincing. To assert a hardship claim to justify his need to position this microbrewery in a residential zone despite neighbor's objections is disingenuous as well as callous. As stated above, this building could be returned to use as a single-family home with a live/work component. The side yards could be beautifully landscaped. The small adjoining house about to be moved off the block could instead be moved next door to the vacant R-4 parcel and complete the streetscape in a more authentically historic fashion as has been done with empty lots all over Uppertown and Little Bohemia. Funding from the Legacy Amendment and other historic grants could be applied for, or a co-operative or LLC partnership could be formed to do this type of restorative work. This may still be an option, as the house hasn't been moved yet. Regardless, a German lager saloon and microbrewery with food service is not the highest and best use of this site. A return to the intact streetscape with renovated structures would be the highest and best use of the property and enhance the context of this historic aspect of this important block of Smith Avenue and assure the peaceful use of the surrounding residences, which is much more in harmony than this proposal.

Schroeder chose instead to attempt a saloon in a residential neighborhood despite these other options for "higher and best use." There is no reason he couldn't have sold the side lot or brought in partners devoted to restoring the Charles Palmer worker's cottage such as was done with the Dahl House in the nearby W. 7<sup>th</sup> Brewery neighborhood, as opposed to reestablishing a long-defunct, short-lived saloon. He willingly gambled on this proposed project rather than adhering to the residential nature of these sites. Furthermore, a large majority of Schroeder's proposal is new construction of a faux-historic nature that will overshadow the stone house and its neighbors. In no way is this project an improvement for our street- nor does it replace or make up for what is being lost in the opinion of many other historic preservation minded citizens and neighbors. It feels false because it is false.

#### Neighborhood Impact

The biggest concern from our block is that this establishment is a hobby project for an individual with no actual experience of owning and operating a bar and restaurant, which is essentially what this proposal is. We know the serious responsibilities that come with managing this kind of business, as our son has been in the industry as a bartender, waiter and bar manager for over 20 years in St. Paul. David Rich descends from a family of bartenders and bar owners in the city of Chicago. We know that an experienced bar owner would be reluctant to operate in immediate proximity to single family homes even if it were permitted, knowing the issues that are sure to arise due to customers who act out on the street. Schroeder's recent gathering at 445 Smith gave us cause for these concerns despite his assurances, as his guests spent much time out in the alley and on the sidewalk and stoop out front at nearly midnight on a weeknight, smoking and talking, even after personally expressing this concern to Tom just a week before. We can hear all this inside our homes, even with windows closed, and it means we can't have our windows open in summer if this variance is permitted. Additional concerns are the numbers of customers patronizing this drinking establishment; "history" tour groups and tour buses; evening hours; parking issues on a restricted residential permit street (Area 7) where the restrictions end at 8 pm allowing for parking that results in late night noise and nowhere for residents who work evening shifts or have evening errands or events to park when they come home.

### Zoning Code variances in St. Paul

From the city of St. Paul website:

#### Code Requirements

Before the Planning Commission can grant a Nonconforming Use Permit, they must make the following findings:

- The use occurs entirely within an existing structure; *(a new addition and structures will be built)*
- The use is similar to other uses permitted within the district; *(bars are not permitted in an R-4 zone or property)*
- The use has been in existence continuously for a period of at least 10 years prior to the application; *(not used as a saloon for at least 145 years in this case and never as a brewery).*
- The off-street parking is adequate to serve the use; *(not adequate, this area is restricted Residential Permit Parking Zone 7 and is one block from the river. Parking will spill over onto adjoining residential streets with inadequate off-street parking for residents, despite his very small parking lot at the end of the alley).*
- Hardship would result if the use were discontinued; *(no hardship here, there are options for this site and the use has been residential for 145 years. Schroeder knew this at the time of purchase).*
- Rezoning the property would result in "spot" zoning or a zoning inappropriate to the surrounding land uses; *(This results in "spot zoning" turning a single family house into a bar and microbrewery)*
- The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare; *(it is detrimental to all these things. The additional traffic in and out of the alley by inebriated customers walking to their cars is a concern, as is the fact that the highest crash rate on the entire stretch Smith Avenue is between the High Bridge and W. 7<sup>th</sup> St. This is well documented by Public Works studies done for traffic calming on Smith and police reports. We are very worried about adding yet one more bar to the area.)*
- The use is consistent with the comprehensive plan; and
- That a notarized petition of two-thirds of the property owners within 100 feet of the property has been obtained stating support for the use. *(This has not been obtained. On the contrary there is a petition of immediate neighbors against this variance). (Italics mine)*

#### Zoning Committee Staff Report rebuttals:

D: The surrounding land use of 445 Smith is primarily residential, with operating hours and buffers for the few operating businesses: DiGideo's, Bonfe's Garafolo's Automotive. The live/work unit to the northeast is our residence and is a homesteaded residential property. Bad Weather Brewery is not operational at this time. We also fear disturbances from this site, but it is in a permitted zone.

H: 3(a) Findings: *the variance is in harmony with the general purposes and intent of the zoning code and R-4 minimum setbacks...* It is not solely the setbacks that are of concern, but the commercial use of three original historic residential sites combined into one, adjoining and near many residences including 457 Smith, an HRA owned Category 2 vacant house which will soon be rehabbed back to an owner-occupied single-family dwelling. The side porch on the proposed addition to the stone house faces that nearby property. In addition, the front sidewalk and porch of 445 Smith has become a central gathering spot for guests and tourists. The front of the building is only 50' across the street from single-family homes that are already being disrupted by its present use as a historic site. This is based on past and recent experience from events and tours, which have been hosted by Tom Schroeder. In addition, we often have tourists and others congregate in front of our residence while talking about the stone house and taking pictures from this side of Smith Avenue which disrupts the peaceful use of our home.

[www.youtube.com/watch?v=xNYbYATnDQ0](http://www.youtube.com/watch?v=xNYbYATnDQ0)

### Requested Conditions

*The Planning Commission may impose such reasonable conditions and limitations in granting an approval as are determined to be necessary to fulfill the spirit and purpose of the zoning code and to protect adjacent properties.*

We therefore request that if a variance is granted (which we are opposed to) we ask that it be with the following conditions based on our experiences with gatherings at 445 Smith Avenue.

- A closing time no later than 8 pm, 7 days a week which coincides with residential parking restrictions.
- No smoking on the (very narrow) public sidewalk in front of 445 Smith Avenue.
- Windows and doors at 445 Smith should be closed at all times due to the noise that carries into nearby homes.
- No outdoors, patio or porch service or smoking due to proximity of nearby homes.
- Tours on foot and by bus should be restricted to once a week and tour buses should not be permitted to idle on the street due to noise and fumes affecting nearby homes. (We've had groups gathered outside with guides talking about the site. We can hear every word inside our homes while trying to work. It is quite disruptive. We've had tour buses idle for extended periods of time and pollute the air with diesel and noise resulting in keeping our windows closed.)
- No live or recorded music that can be heard from the sidewalk.

If, as Tom has claimed on the past, that this "Stone Saloon's" use will be as a "nano-brewery," a historic site and community gathering place more along the lines of a private club as many neighbors and friends were first told, then he won't object to these conditions. If however, Schroeder insists on following through with his submitted proposal it will have a major impact on the neighborhood as it will require regular consumption of the product brewed on site making it necessary to open it to the general public or host events to turn enough profit to pay for and manage this ambitious enterprise. In that event, these conditions are necessary for the peace, well-being and stability of Smith Avenue and the north side of Goodrich that shares the alley with 445 Smith Avenue.

Again, it is with regret that we must be in opposition to Tom Schroeder's plans and withdraw our support. We have been good neighbors for 13 years. However, he gives us no alternative, as the impact of his proposed project will irreparably harm this sweet little historic residential area of Uppertown. It has already very much polarized our neighborhood. For those in the area who see this as an asset to the neighborhood and its historic character, we respond that our homes on Smith and a part of Goodrich will be difficult to live in due to the disruptive nature of a "saloon" (bar) and micro-brewery in our midst. We are upset that the historic Charles Palmer worker's cottage is being removed from Smith Avenue in favor of new construction. We also fear the unintended consequence of owner-occupied houses reverting to or remaining absentee landlord sub-par properties due to unfavorable living conditions. We presently have long-time neighbors on Smith who are preparing to move should this project be approved. We lose good neighbors and it diminishes the potential for future owner-occupied, lovingly restored historic houses on Smith and Goodrich. We have worked long and hard to turn this area around. Please deny the variance for the proposed commercial use of 445 Smith and keep the R-4 single-family zoning intact. If the variance is granted, please do so with the above conditions and the enforcement of those conditions. Thank you for your time and consideration in this matter.

Sincerely, and on behalf of many of our immediate and area neighbors,

Paulette Myers-Rich

David Rich

436 Smith Avenue N., St. Paul, MN 55102

## **Dermody, Bill (CI-StPaul)**

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**From:** Spong, Amy (CI-StPaul)  
**Sent:** Monday, August 24, 2015 3:57 PM  
**To:** Dermody, Bill (CI-StPaul)  
**Subject:** FW: Addendum to 445 Smith hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To add to zoning committee testimony too.

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**From:** Paulette Myers-Rich [<mailto:pmrich22@hotmail.com>]  
**Sent:** Monday, August 24, 2015 3:52 PM  
**To:** Spong, Amy (CI-StPaul); Boulware, Christine (CI-StPaul)  
**Subject:** Addendum to 445 Smith hearing

Please add this testimony to my earlier submission from 8/23/2015.

Regarding the demolition of the historic, rear 1 1/2 story frame addition, it is our observation that the Charles Palmer cottage cannot be moved unless the 445 Smith historic and original addition is torn down. We find it implausible that in order to restore a historic structure, one must be destroyed and replaced with a larger addition destined for commercial use, rather than restoring or replicating the smaller residential original, and that the historic worker's cottage on the site must be moved off the lot, rather than to the south of the stone house of 445 Smith Avenue N. where it could fill in and complete the streetscape in a more authentic way. We are very concerned that the original fabric of this block of Smith Avenue is being destroyed and replaced with faux-historic commercial structures (microbrewery with food service) that have no bearing on the actual history of the site and are detrimental to the quality of life of the current and future residents on this residential block. We share this concern with neighbors who have not signed in agreement with Schroeder's plans, but also have not weighed in officially in opposition. This is a polarizing issue in our area and some are keeping their heads down in order to avoid friction. Schroeder has been very intent in his plans despite neighboring opposition and has set up certain conditions at 445 Smith that have seemingly painted him into a corner.

Any supposed hardship asserted by the owner Tom Schroeder has come about by his own actions. The Charles Palmer cottage cannot be moved from the front as the stone house's concrete stoop comes in front of the cottage, blocking it and preventing removal from that direction. There is also a tree and a light post on the boulevard directly in the way. The only pathway to move the cottage is to tear off the original addition to the stone house and move it before the new addition is built. None of this demolition or removal work would need to be done if this property owner wasn't so intent on establishing a microbrewery and taproom with food service on three combined 4-R lots in a residential-zoned neighborhood being considered for historic district designation. Schroeder's plan hasn't passed the Zoning committee or the City Council yet, and there is considerable neighborhood opposition, yet he still moved forward, gambling the outcome would favor him.

This is not an act of historic preservation, but an act of historic destruction in order to build new construction that simulates historic structures. Structures that do not reflect the original structures that the owner both already has, and intends to have, removed. The block had simple, modest 1 1/2 story houses on these lots

which were purchased by the owner with the intent of removing them in favor of his project before any variances or permissions have been granted, and knowing it was all R-4 zoned. Schroeder himself set up most of the "hardship" conditions being addressed in this hearing and created a situation with what seems to have produced an inevitable outcome. He caused many of these conditions and is now claiming financial hardship and a need to earn money from the site in order to save it. We find his argument weak and self-serving and destructive to historic context of the block. There are other more fitting approaches to the reuse of this site.

Please find a way to keep 445 Smith a residential restoration and leave open the possibility that a more authentic and appropriate historic structure, including the Charles Palmer cottage, may find it's way to the open space adjoining 445 Smith, or have this space become a lovely side yard for the stone house, or perhaps split the lot with 457 Smith, giving that house more green space and a place for off-street parking in order to create a more peaceful, harmonious and authentic restoration of these R-4 lots on this important historic street.

Sincerely,

Paulette Myers-Rich  
David Rich

436 Smith Avenue N  
St. Paul, MN 55102



From: Richard Haus [mailto:dickhaus@comcast.net]

Sent: Friday, August 21, 2015 12:30 PM

To: Boulware, Christine (CI-StPaul)

Subject: Stone saloon

Christine. I am writing to you to check how the meeting on the stone saloon property went. Please include my non endorsement of the project please include this with the info for the upcoming meetings. My reasons are that one the property will not benefit from the addition to the building, changing from 25-30%use to 70-75%use will not help the neighbourhood, having a parking lot 200ft from the stone saloon along a dark slippery alley sounds like a disaster looking for a home, next the addition of a kitchen will not help with the air quality in the area ,last the property needs full ADA access both for parking and access to the second floor party room planned. I hope these points will help the board reach a decision. Thank You for your time in reading this..

Dickhaus@comcast.net

Richard Haus

444 Smith Ave N

St. Paul Mn 55102

Cell6126700972

Home65133302948

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Dave I am writing to you to express my displeasure with the plans for the stone saloon building We as neighbors have been told all sorts of things first a music shop then a club and now a tap room. As someone who lives directly across from the building my concern is for the continued good of the neighbourhood. We have watched the continued work across the street for a number of years and not seen any project completed with in any degree of time.

The concern that I bring is the disruptive influence that having two tap rooms with in 50 feet of each other is not a good thing, second the plan to expand the building with three new sections housing restrooms, a full kitchen, and a brewery on the property will greatly change the look of the site. The building is historic as it sits not as a 30% historic building and 70% New work.

The next point is the over use of the space on the property to go from using 30%to using 75%of the space really does change the historic use of the property. The fact that there is no parking at the property and the proposed parking is over 200feet away down an unlit alley does not bode well for persons coming and going in the colder months, there is also the question of ADA access to both the building and to and from the parking and the proposed party room on the second floor, the third point is a request to have Smith changed to 27/7 permit parking to avoid the car doors slamming late at night (I seem to recall that bars with food have a 1am closing)

Thank you for taking the time to read this message if you have any questions please feel free to call me 612 670 0972

Again thank you. For your time

Richard Haus

444 Smith Ave N

St Paul Mn 55102

Sent from Yahoo Mail on Android

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From: "RICHARD" <rphaus@comcast.net>

To: "Dave Thune" <Dave.Thune@ci.stpaul.mn.us>

**Sent:** Thursday, August 20, 2015 3:56:47 PM  
**Subject:** Stone Saloon

Hi Dave,

Anna Kobett here at 444 Smith av N, right across from the stone house. No matter what you were told, the neighbors closest to that place are against the plans to have it be a tap room restaurant fiasco. We had been told it would be a violin shop with lessons there as well. We were accepting of that idea, however, a second tap room on the same block as Bad Weather Brewing (which we were also apposed to. There are enough bars here.) is far more than we are willing to put up with. The mess, noise, and smell would be bad enough; but add declining property values and increased home owners insurance is far more than we are willing to tolerate. Most of the people who are in favor of this are related to them, or friends of the family. Is it going to be necessary to have our friends and families also send letters and e-mails? If so I will start spreading the word from here too.

Anna Kobett  
444 Smith Av N  
651-330-2948

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Barbara Wencil, Chair, Planning Commission  
Gaius Nelson, Chair, Zoning Committee

c/o Bill Dermody, City Planner

As I am not able to attend the St. Paul Zoning Committee meeting this coming Thursday, August 27, I am writing in support of the Stone Saloon application for a Historical Use Variance..

I have known and worked closely with Tom Schroeder for 6+ years. I became aware of his work on the Stone Saloon during this time and have closely followed the evolution of the Stone Saloon building.

The Stone Saloon - and the other limestone houses - are important remnants that illustrate the history of St. Paul beyond that of the great ox cart merchants and railway industrialists. Don't get me wrong, those individuals and their buildings contributed greatly to the City. It is important to preserve these buildings for future generations as they represent those who provided the labor for the city's builders.

The plans proposed for the Stone Saloon, to make it a living historical site, are ambitious and will be a great additon to the community along West 7th. The plans to make the Stone Saloon a functioning commercial building, contributing to the economy of the neighborhood, are fantastic! Putting the building to work is greatly preferable to a site that receives historical designation, then is put on the proverbial mantle to collect dust with a placard saying, "look but don't touch".

Without the historic designation and historic use variance, these plans for the building and the community are for naught. What's left you ask? Another historical building placed on the mantle to collect dust.

Specifically, I ask that the St. Paul Zoning Commission approve and recommend to the St. Paul Planning Commission:

- the historic designation of the Stone Saloon (and four other small limestone houses); and
- the granting of a "historic use variance" to allow the Stone Saloon to re-open as a historically-themed, Civil War era beer-only neighborhood tap house and microbrewery.

Thank you.

Robert Sannerud  
6613 Hillside Lane  
Edina, MN 55439  
(952) 564-1528

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Bill,

As Executive Director of the Minnesota Craft Brewers Guild, I heartily encourage the Zoning Committee to approve the Stone Saloon's application.

The Stone Saloon will be a wonderful addition to St. Paul!

Phil Platt  
1334 Osceola Avenue  
St. Paul MN 55105

Thanks and Cheers!  
Phil

Phil Platt  
Executive Director  
Minnesota Craft Brewers Guild  
651-500-2279  
[www.mncraftbrew.org](http://www.mncraftbrew.org)

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

Hello. I live in the West 7th neighborhood and have been watching, with interest, the work Tom has done on the future Stone Saloon. The amount of work and effort that he has put in is a reflection of his respect of our whole city. I love that his intention is to (hopefully) pave the way for more historic renovation. Our city has such a cool past, and the more businesses and buildings like the Stone Saloon we have, the more that history is preserved, recognized, and appreciated.

The building is a gem, and the owner seems to be so innovative and creative in his process. I can't wait for it to become a place that also fosters community, just as it always has. I love the idea of another space that creates connections between neighbors ... while also creating a destination for the entire metro, and positively impacting tourism.

Lori Karis  
514 View Street

Saint Paul MN  
612-516-1525  
Home Away From Home

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

Dear Barbara, Gaius and Bill,

I am writing to express our support for the renovating and re-opening the Stone Saloon as a tap house and microbrewery.

From reading the website blog and touring the building, it's clear that the work to date has been a labor of love on the part of people who want to preserve St. Paul's history and share it with future patrons. We think that it a worthy goal and one that we hope you will support.

Best regards,

Connie Dickson and Stephan Weingarten  
1466 Rocky Lane  
Eagan, MN

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**Connie Dickson, FCSI**  
Principal

**Robert Rippe & Associates, Inc.**  
Foodservice Design and Consulting  
6117 Blue Circle Drive, Suite 100  
Minneapolis, MN 55343  
Office 952.933.0313 ext. 119  
Direct 952.955.8053

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Hello Bill,

My husband, Terrance Schreiner and I (Joann Schreiner) live at 433 Smith Ave N. with my daughter and my two young grandchildren. We live right across the alley from the Stone House, 445 Smith Ave. Recently, Bad Weather Brewing moved in right behind us, from that building to the Stone House building it is 45 ft away from one another, do we really need another bar that close to one another. We are **against** having saloon that close to us, it is bad enough to have one behind your house we definitely don't need another along side us. Tom Schreoder is well aware that we are against the saloon as is many of our neighbors that will be directly affected by this, which we have signed petition showing as such. I will send you and Dave Thune a copy of it tomorrow.

Below is the email I sent to Dave Thune, one correction, the Star Tribune article was 11/30/10 not August

2014, which was an error on my part, that would be paragraph #4.

These are the issues that concern all the neighbors that will be most affected if the variance is approved.

Also, ever since we heard Tom Schroeder planned to open a saloon at 445 Smith Ave, my husband and I have been in contact with the city, numerous times within the last two years, asking how can he do this if it is a residentially area then how can he make it into a saloon. Per the city, Tom Schroeder would need to have approval for this business from the neighbors within a 100 ft.. The signed petition will show that everyone within a 100 ft of 445 Smith Ave, oppose this business, oppose that our residential area will turn into a commercial area. If Tom Schroeder wants a business at 445 Smith Ave then it should be a business that can be ran in a residential area.

Sincerely,

Joann Schreiner  
433 Smith Ave N.  
St. Paul, MN 55102

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Dear Ms. Wendl and Mr. Nelson:

I am writing to express my support for zoning approval for the proposed Stone Saloon in St. Paul. I drive by this area fairly frequently and really admire the work the two owners are putting into this historic old building. This is a wonderful old neighborhood and I believe the Stone Saloon will fit right in.

I understand there is a Zoning Committee meeting this week where you will assess the project's compatibility with the surrounding area, and consistency with the city's comprehensive plan. With the great amount of local business new microbreweries are bringing into St. Paul and indeed, the entire Metro Area, I believe this project deserves everyone's support-- not to mention that it will resurrect a very historic old building to its original purpose!

I will not be able to attend your upcoming meeting due to work conflicts, but please do know that this project has my support, and I hope the Zoning Committee will also consider the benefits for the area.

Thank you for taking time to read my email.

Sincerely,

Jackie LaVaque  
210 Co. Rd. B2 E: #21  
Little Canada, MN 55117

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Dear Members of the St. Paul Zoning Committee,

I am writing to express my support for approval of the historic use variance for the Stone Saloon by the St. Paul Zoning Committee. It is a unique and historically significant project that will help tell the story of

St. Paul's early life, as well as revive one of this building's earliest uses as a saloon.

Sincerely,

Tom Keyser

cell: 612-616-7267

email: keysert@me.com

Home:

5251 W Bald Eagle Blvd

White Bear Lake, MN

55110

Cabin:

6601 N Datka Rd

Duluth, MN

55803

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To: Barbara Wencil and Gaius Nelson

Hi my name is Ruth Dantuma.

I own two properties in the neighborhood of the Stone Saloon. Together with my husband, Dirk Dantuma, we own 59 Irvine Park and 311 Walnut. We moved into our Irvine Park property in 1997 and started the rehabilitation of 311 Walnut in January 2012. That home is right off West 7th Street and very near Tom Reid's bar, Burger Moe's and other drinking (and eating) establishments. There are two residential use properties on that block of Walnut (307 Walnut and 311 Walnut) and all residents knew of their proximity to the bars before buying or renting their home but that doesn't mean we are not willing to make and maintain lovely and livable homes.

Dissimilarly, the neighbors of the Stone Saloon may have a bar very close to them post purchase or rental of their home. I believe that Tom Shroeder is a thoughtful developer but I want to make it clear that he must yield to the neighbors in terms of business hours, noise, lighting and security if he gets the house rezoned.

I understand what it's like to live near a bar and the noise is not limited to business hours. Besides the noise of happy/unhappy intoxicated people, deliveries, garbage pickup and recycling can occur at any time day or night. These sounds are annoying and disruptive to residents. I ask you to defer to the neighbors for special conditions for use if the Stone Saloon house gets rezoned.

I appreciate the restoration but actually appreciate the residents of this neighborhood more. Please don't forget about them.

Ruth Dantuma

59 Irvine Park

Saint Paul, MN 55102  
311 Walnut Street  
Saint Paul, MN 55102

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I wish to contribute my comments to the hearing on Thursday August 27th regarding the variance for 445 Smith Ave.

My name is Teresa Boardman and own the home at 105 Leech Street. I am opposed to all three of the variances being asked for so that this property can be used as a tap room/brewery with food service and additional parking. The property is in a residential area close to an existing brewery and a bar across the street.

Teresa Boardman Realtor®  
651-216-4603  
Boardman Realty  
<http://StPaulRealEstateBlog.com>

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Dear Barbara Wendt, Chair, Planning Commission  
Gail Nelson, Chair, Zoning Committee,

I am writing to you in support and friend of The Stone Saloon near West 7th in St. Paul. Unfortunately I am not able to attend the hearing before the Zoning Committee this Thursday, August 27, at 3:30. As someone who lives outside the immediate community, I wanted to share with you the benefits of neighborhoods like West 7th leveraging their history and heritage to present a new face to the broader community, attracting new individuals and families to our urban communities. Being a resident of Minneapolis for 20 years I have witnessed a transformation within our own neighborhood of quaint establishments that bring people together and help contribute to a tight knit community. It has been wonderful!! I personally spend a lot of time in St. Paul particularly the West 7th neighborhood. I am a volunteer with Serving our Troops and much of its success is due to Mancini's, not far from The Historic Stone Saloon. You certainly know the historic value of Mancini's in St. Paul and how positive that establishment has been for West 7th and St. Paul. Mr. Schroeder's passion for the history and integrity of the neighborhood is first and foremost. Bringing back to life a building such as this is a gift to all who love St. Paul. It is truly a one of a kind establishment not to be imitated or reproduced anywhere. I can only imagine how beneficial The Stone Saloon would be to the area bringing together community members, neighbors and those who want to feel history during a time when we all need that. Thank you for taking the time to read my email.

Best Regards,

Minneapolis Resident 5432 Knox Ave. South, MPLS, MN 55419

Chad N. Norling, CFP®  
President  
Executive Financial Services, Inc.  
Registered Representative\*  
Investment Advisor Representative\*

AdvisorNet Financial\*  
4200 West Old Shakopee Road, Suite 245  
Bloomington, MN 55437  
952-884-3326 (phone)  
952-884-3327 (fax)  
[cnorling@advisornet.com](mailto:cnorling@advisornet.com)  
[www.efsonline.com](http://www.efsonline.com)

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Ms. Wencil and Mr. Nelson:

This message is sent to lend my support to the Stone Saloon's application for approval from the Planning Commission for an Historic Use Variance.

I regret that I can't be present at the Planning Commission meeting on September 4, but I want to add my voice to those who hope the Commission will recognize the benefit to the City of St. Paul and its neighboring residents that would come from the having the historic Stone Saloon open as its planners intend.

Irreplaceable buildings of the Saloon's era are becoming ever more rare. Saving this one and returning it to its original use (and in enhanced fashion!) is a unique opportunity.

I heartily encourage the Commission to grant an Historic Use Variance for this project.

Thank you for your consideration.

Louise Benson Griffin  
8950 Stonebrooke Trail  
Woodbury MN 55125

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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 7<sup>th</sup> 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

I support Tom Schroeder's restoration and (re)opening of the Stone Saloon at 445 Smith as a pre-Civil War German "lager beer saloon"—i.e., a beer-only tap room and micro-brewery.

Name	Street address	Signature
Katie Swanson	201 McBoal St	[Signature]
Shonna Schritzer	192 McBoal St.	[Signature]
Maurien Schritzer	192 McBoal St	[Signature]
Ben Pressgrave	82 Leech St.	[Signature]
John Glucks	170 McBoal	[Signature]
Joanna Hirvela	199 McBoal St	[Signature]
Kim McDottner	20 1/2 McBoal St	[Signature]
Robert Casper	212 McBoal	[Signature]
Jay M. Huns	72 Leech St	[Signature]
Peter Houf	89 Leech St.	[Signature]
JAMES LINDBERG, AIA	95 LEECH ST	[Signature]
Markus Appleby	97 Leech St	[Signature]
Heidi Lavens	93 LEECH ST.	[Signature]
Teresa F Ben	105 Leech St	[Signature]
Karl Song	90 Leech St	[Signature]
Sarah Miller	186 McBoal St	[Signature]
Maryne Mossey	190 Leech St <sup>110</sup>	[Signature]
Jane Aust	112 Leech St	[Signature]
Laurel Gamm	157 Goodrich Ave.	[Signature]
Laurel Gamm		

I support Tom Schroeder's restoration and (re)opening of the Stone Saloon at 445 Smith as a pre-Civil War German "lager beer saloon"—i.e., a beer-only tap room and micro-brewery.

Name

Street address

Signature

Nissa Ulven 112 Leech Street Nina Ulven

Joe Landsberger 169 Goodrich Ave

ROBERT M. FRANK III 178 GOODRICH AVES

Robert M. Frank III

Ann Schroeder

194 McBoal

Ann Schroeder

Richard L. Kutz

102 Leech St.

Sandra Teribonsky

RICHARD L. KUTZ

96 LEECH ST.

Richard L. Kutz

Dennis Faust

195 Goodrich

Dennis Faust

James A. Sazevich

454 N. SMITH AVE

James A. Sazevich

JAMES A. SAZEVICH

Jaana Winienko

182 Goodrich

Jaana Winienko

Jaana Winienko

182 Goodrich

Jaana Winienko

Craig Gustafson

194 Goodrich Ave

Craig Gustafson

Coraine K. Harris

218 Goodrich Ave

Coraine K. Harris

Will Wilson

254 Goodrich Ave

Will Wilson

John Martin

266 Goodrich Ave

John Martin

Matt Oeger

236 Goodrich Ave

Matt Oeger

David Pak

236 Goodrich Ave

David Pak

Charles Stephens

151 Goodrich Ave

Charles Stephens



Hi my name is,  
Lochlan, I am 6'5  
years old I live  
by the Stone School

I Love History  
and the Civil War:

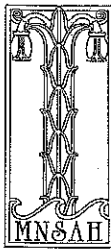
I love visiting  
the Stone School

and learning about

History. Thank

you for helping

save the Stone School



August 26, 2015

Minnesota Chapter of the Society of Architectural Historians  
275 Market Street, Suite 54  
Minneapolis, MN 55405

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

Re: Variance request for the Stone Saloon

Dear Barbara Wenzl and Gaius Nelson:

I am writing on behalf of the Board of Directors of the Minnesota Chapter of the Society of Architectural Historians (MNSAH) in support of the request for a variance for the Stone Saloon, also known as the Anthony and Wilhelmina Waldman house.

The St. Paul Heritage Preservation Commission recently approved the historic designation of the Stone Saloon as well as an historic use variance. The Stone Saloon is an architecturally and historically significant building from St. Paul's Pioneer Era and the request to return the building to its original use presents a rare opportunity to fully experience a building from the 1850s.

We believe the recent approval of the Historic Use Variance Ordinance 15-26 is an important tool in promoting the preservation of historic buildings in St. Paul. MNSAH supports the variance for the Stone Saloon and we believe its proposed use will be a compatible and important addition to the West 7<sup>th</sup> Street neighborhood.

Sincerely,

Rolf T. Anderson  
MNSAH Board of Directors



# HELP

save our NEIGHBORHOOD by saying **NO**  
to any type of Beer Brewing for sales or consumption  
at the **OLD STONE HOUSE** located at  
**445 Smith Avenue North, St. Paul, MN 55102**  
Building capacity - 60 to 75 people???  
Hours of operation - 11:00 pm or later???  
Patio for smokers and drinkers - 60 to 75 people???  
Parking???

~~Jeff Golden~~ 4215 7th St NE  
Don Kreidler 430 Smith Ave #8  
Robert L. Brown 431 N. Smith Ave.  
TONY GAROFALO 245 GOODRICH AVE  
Darryl Justen 245 Goodrich  
Paul [unclear] 247 Goodrich Ave  
Joycellen Babin 233 Goodrich Ave 651-341-0344  
[unclear] 235 Goodrich Ave  
Alexis Madril 232 Goodrich Ave.  
[unclear] 1101 Smith Ave N 651-330-2118  
Anna M. Felt 444 Smith Ave. N 651-330-3945  
Stephanie Peterson 202 Goodrich Ave 651-242-4989  
Lorrie Worn 431 N Smith Ave 651-231-0013  
Jim [unclear] 255 Western Ave. S. St 62 651-224-8749  
Carol Peterson 202 Goodrich Ave 651-292-4989  
Ylona Peterson 214 Goodrich Ave  
Barrett Fitzpatrick  
TERRANCE L. SCHREINER 433 N. Smith Ave. 651-340-1749



city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, IAF 2400 University LLC, File # 15-136-832, has applied for a conditional use permit for a maximum building height of 75 feet under the provisions of §66.331 and §61.501 of the Saint Paul Legislative Code, on property located at 2400 University Avenue W, Parcel Identification Number (PIN) 29.29.23.34.0064, legally described as Auditors Subdivision No 4 Sely 5o Ft Of Nwly 15o Ft Of Nely 12o Ft Of Lot 3o And Ex Nwly 15o Ft And Ex Swly 56 Ft And Ex Sely 33 42/1oo Ft Measured On Nely Lot L Of Nely 65 125/1ooo Ft Measured Par With Nwly Lot L Lot 3o; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is proposing a 75-foot tall mixed-use project, Raymond Avenue Flats, which will rehabilitate an existing building and construct a five-story addition on its roof. The addition will contain 119 market-rate apartments. The existing building will contain over 11,000 square feet of commercial space along University and Raymond, as well as a parking garage to support the uses. The addition will be set back 77 feet from University, at least 12 feet from Raymond, and over 30 feet from the Chittenden and Eastman Building to the west.
2. §66.331(g) provides for "a maximum height of ninety (90) feet with a conditional permit." The 75-foot height of the project is appropriate at this location because it has been identified for higher density by both the Comprehensive Plan and Raymond Station Area Plan. Furthermore, the area south of the site, across Myrtle Avenue, is zoned T4, which allows 75 foot tall buildings by-right.
3. §61.501 lists five standards that all conditional uses must satisfy:
  - (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The site of the proposed development is identified as a Mixed Use Corridor and Neighborhood Center in the Land Use Chapter of the Comprehensive Plan. The following Land Use Chapter policies support mixed-use development, such as the proposed project, in Mixed-Use Corridors and Neighborhood

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

Centers:

*1.2 Permit high density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor, and Downtown.*

*1.14 Plan for growth in Neighborhood Centers.*

*1.15 Promote Neighborhood Centers as compact, mixed-use communities that provide services and employment close to residences.*

*1.19 Promote conditions that support those who live and work in Neighborhood Centers, including frequent transit service, vibrant business districts, a range of housing choices, and community amenities.*

*1.23 Guide development along Mixed-Use Corridors.*

*1.24 Support a mix of uses on Mixed-Use Corridors.*

*1.25 Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multi-family residential development.*

The following Housing Chapter policies from the Comprehensive Plan support the use:

*1.2. Meet market demand for transit-oriented housing.*

*1.3. Revitalize the city by developing land-efficient housing.*

The following Historic Preservation Chapter policy supports the use:

*5.4 Invest in historic resources along transit corridors as part of a larger neighborhood revitalization and reinvestment strategy.*

The following Raymond Station Area Plan policies support the use:

*4.1.1 Built Form*

*New development should fit with its surroundings.*

*a) New development along University Avenue should be 2 to 6 residential stories in height with transitions that respect the existing scale and character of the historic buildings along the street.*

*e) Building design should incorporate materials and an architectural style that is distinguishable as contemporary, yet compatible with adjacent historic buildings through scale, rhythm, [sic] color and materials, while meeting the University-Raymond Commercial Historic District Design Guidelines.*

*All new development should promote transparency and activity at street level.*

*f) First floor commercial or retail uses should help to animate the street by incorporating large glass frontages that allow the activity within to be seen from the street and have at least one entrance that is oriented towards Raymond or University Avenue, access points to the station platforms, and/or key gathering places.*

*g) Commercial or retail uses should be located in the first floor of all buildings within the Priority Active Frontage zones [...].*

*(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The use will provide ingress and egress at two existing curb cuts on Raymond Avenue. The curb cuts will access separate enclosed parking areas of 26 spaces and 33 spaces.*

*(c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This*

condition is met. The proposed mixed-use building is consistent with the long-range plans and zoning for the area and its uses are complementary with the immediate area, and will not endanger the public health, safety and general welfare.

(d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The uses proposed for the mixed-use building are allowed in the district, and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

(e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The proposed development conforms to all other regulations in the T3 zoning district.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of IAF 2400 University LLC for a conditional use permit for a maximum building height of 75 feet at 2400 University Avenue W is hereby approved subject to the following additional condition:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Timothy Niver, File # 15-145-496, has applied for a reestablishment of nonconforming use for a restaurant under the provisions of §62.109(e) of the Saint Paul Legislative Code, on property located at 786 Randolph Avenue, Parcel Identification Number (PIN) 11.28.23.42.0009, legally described as Clarkes Addition N 77 Ft Of Fol Lots 1 And Lot 2 Blk 2; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The property at 786 Randolph Avenue is a single-story commercial building. From 1966 through 1988 this property was home to a restaurant named Phil's Place. After 11 years of vacancy, it served as a restaurant from 1999 through 2005 under a nonconforming use permit #99-008, first as The Mildred Pierce Café then as Café de Tava. The building has been vacant since 2005.
2. Section 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. The building, which has been vacant for over a year, is designed for restaurant uses rather than commercial, coffee shop/tea house, or deli/take-out uses permitted in the B1 district. Repurposing the building for such uses would be costly. The structure cannot reasonably or economically be used for a conforming purpose.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is met. The previous use was also a sit-down restaurant, which is first permitted in the T2 or B2 district. The previous restaurant had 49 seats, and the applicant proposes approximately 50 seats for the proposed use. Anticipated hours of operation are approximately 5-10pm Tuesday through Sunday, and 8-11am Saturday and Sunday, which are fewer hours of

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

operation than the previous restaurant. The proposed use is equally appropriate to the district than the previous legal nonconforming use.

- (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed restaurant is located at the southwest corner of Randolph Avenue and View Street, across Randolph from a grocery and liquor store, and across View from a K-8 school. This is an existing small commercial district similar to the character of those across Saint Paul. The proposed use has a gross floor area of 2,681 square feet, requiring 7 parking spaces. The applicant has signed a shared-parking agreement with Thomas Wang, the owner of 801 Randolph, for use of 7 parking spaces during the operating hours of the proposed restaurant. 801 Randolph is 78 feet from 786 Randolph, located in the same zoning district as 789 Randolph, and is not being used to meet any other parking requirements. The proposed use for a restaurant will not be detrimental to the character of the neighborhood, or endanger the public health, safety or general welfare.
- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The *Saint Paul Comprehensive Plan* designates this property and those along Randolph in this neighborhood as part of a Mixed-Use Corridor. Two comprehensive plan strategies in particular support this type of use: strategy LU1.24 calls for supporting a mix of uses on Mixed-Use Corridors, and strategy LU1.28 calls for supporting those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices. The District 9 Plan includes strategy 21, "Encourage flexible parking strategies such as shared parking for commercial and institutional users, and parking behind structures." The proposed use is consistent with the comprehensive plan.
- (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on July 31, 2015: 14 parcels eligible; 10 parcels required; 10 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Timothy Niver for reestablishment of nonconforming use as a restaurant at 786 Randolph Avenue is hereby approved subject to the following condition:

1. Zoning administrator approval of the shared parking agreement with 801 Randolph Avenue.

ZF# 15-145-496  
T. Niver

**From:** Sue  
**Sent:** Monday, August 24, 2015 3:58 PM  
**To:** [beaulieu@ci.stpaul.mn.us](mailto:beaulieu@ci.stpaul.mn.us)  
**Subject:** file 15-145-496

Talked to you about permit for restaurant at Randolph and view

Our only request of Mr. Niver is that

He tries not to price the neighborhood out

The last two restaurants were so high priced that they needed to draw customers from up the hill and you can see where got them.

Good Luck and we'll see you.

Sue Sjodahl 781 Randolph Ave

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Integrity Auto Sales, File # 15-144-494, has applied for a conditional use permit for outdoor auto sales and minor repair of vehicles for sale under the provisions of §61.501 and §65.706 and §61.501 of the Saint Paul Legislative Code, on property located at 501 Maryland Avenue W, Parcel Identification Number (PIN) 24.29.23.33.0139, legally described as Cottage Homes subj to ave and esmt; the E 140 ft lying sly of B N Ry r/w of Lot 38; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 27, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is seeking to locate a used car brokerage service at the subject property. Based on identified customer needs (make, model, price range, etc), Integrity Auto would seek out a car for the buyer, make any needed repairs, and sell this car to their customer. The applicant has stated that there will be no advertising banners, signs, or flags, and cars will not be marked "for sale." Customers coming to the site would be by appointment only. Hours of operation for the business would be between 9:00 a.m. and 9:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. Saturday.
2. § 65.706 lists the following standards and conditions for outdoor auto sales and rental:
  - (a) *A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking. The lot or area shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.* This requirement is met subject to patching and maintenance of the asphalt parking lot. The submitted site plan indicates layout of for-sale vehicle, customer, and employee parking. This is an existing parking lot and a photo submitted by the applicant shows that there are no existing drainage issues.
  - (b) *Vehicular access to the outdoor sales area shall be at least sixty feet from the intersection of any two streets.* This requirement is met. The vehicular access to the outdoor sales area is more than 60 feet from an intersection.

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

- (c) *No repair or refinishing shall be done on the lot unless conducted within a completely enclosed building:* This requirement is met subject to no auto refinishing being undertaken at this site. The applicant stated all automobile repairs will occur within an enclosed building. In the narrative submitted with the application, the applicant indicated their intention to undertake minor auto body prep work as part of their business model. However, refinishing (auto body repair) of cars is not allowed in the B3 general business zoning district, and they have agreed not undertake this work at this site.
  - (d) *The minimum lot area shall be 15,000 sq. ft.* This requirement is met. This lot is 31,357 sq. ft. in area.
  - (e) *In the case of pawnbrokers, the business shall...* This condition does not apply. The proposed business is not a pawnbroker.
3. §61.501 lists five standards that all conditional uses must satisfy:
- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The Land Use Plan element of the Comprehensive Plan designates this parcel as "Industrial" in Figure LU-B, Generalized 2030 Land Uses. This future land use category allows for "primarily manufacturing and/or the processing of products; could include light or heavy industrial land uses, large warehouse facilities and/or utilities." The District 6 Plan Land Use Policy 5.1 states: "Encourage existing auto related businesses to upgrade the appearance of their buildings and properties; discourage the growth of new auto related businesses." While the District Council's plan states to "discourage" this type of use, by applying the zoning code as written, the City is not actively encouraging the growth of this use.
  - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There is adequate ingress and egress to this site for this use.
  - (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. Outdoor auto sales will not be detrimental to public health, safety, and general welfare of the neighborhood. This is a predominately light industrial area at this time.
  - (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The outdoor auto sales uses will not impeded the normal and orderly development and improvement of the surrounding properties for uses permitted in the district.
  - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. This use is proposed in an existing building.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Integrity Auto Sales for a conditional use permit for outdoor auto sales and minor repair of vehicles for sale at 501 Maryland Avenue W is hereby approved with the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. The number of cars for sale shall not exceed five cars.
3. A minimum of three parking spaces for customers and employee parking shall be provided.



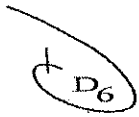
Planning Commission Resolution

15-144-494

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4. The asphalt surface in the parking area for this use shall be patched in areas in a current state of disrepair, and maintained in accordance with city property maintenance standards.
5. All parking spaces shall be striped.
6. Auto repair shall be limited to that supporting the car sales business and not function as a separate use.
7. Auto body work shall not occur on the premises.
8. The hours of operation shall be between 9:00 a.m. and 9:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. Saturday.

ZF# 15-144-494  
Integrity Auto



District 6 Planning Council

171 Front Avenue  
Saint Paul, MN 55117  
651-488-4485 fax: 651-488-0343  
[district6ed@dist6pc.org](mailto:district6ed@dist6pc.org)

August 26, 2015

Zoning Committee of the Planning Commission  
15 West Kellogg BLVD  
Saint Paul, MN 55102

District 6 Planning Council and neighbors met with the applicants regarding 501 Maryland Avenue on August 25, 2015 to discuss a conditional use for outdoor auto sales and minor repair of vehicles for sale with the understanding that the only vehicles repaired would be for brokered vehicles. There would be no auto body repair of vehicles and the business would not operate on Sunday.

The underlying zoning is B3, which requires a Conditional Use permit for the sale of used cars. There is no provision found that automatically allows for the issuance of a conditional use permit. District 6 Planning Council's Large Area Plan Land Use section LU5 states: "Encourage existing auto related businesses to upgrade the appearance of their buildings and properties; discourage growth of new auto related businesses"

According to the City of Saint Paul's property look-up, 501 Maryland has been used as a repair garage since at least 2003. District 6 is of the opinion since the property meets all conditions for a specific use to allow a conditional use permit, and the proposed use is part of an existing auto related use and within the footprint of the property, the permit should be granted.

Thank-you for your consideration.

Regards,

*Jeff Martens*

Jeff Martens  
Land Use Chairman  
Board of Director's Vice Chairman

Cc: Ward 5