



Anne Kukowski and Stephen Gammon

444 Hall Avenue Saint Paul, Minnesota 55107

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October 22, 2022

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

Dear Sir or Madam:

We object to Wabasha Brewing Company's application for a Malt Off Sale license. **We request a hearing.**

Wabasha Brewery knew or should have known when it chose to locate at 429 Wabasha Street that the property was in an area zoned RT1. Permitted uses for property within an RT1 zone do not include breweries or micro breweries. So its mere presence in our neighborhood is not a permitted use. Yet, during the relatively brief period that Wabasha Brewery has been under current ownership, it has requested not just one additional license, but two. One purpose of zoning is to provide a measure of assurance that uses that do not fit a neighborhood do not move in. Wabasha Brewery is the only business on a block with eight single family homes. There is no reason that Wabasha Brewery should be allowed to redefine the character of the block. We request that you deny this the current application.

We further request that you remove the license allowing outside entertainment. Wabasha Brewery has consistently proven that it does not abide by conditions placed upon its licenses. The license allowing outdoor entertainment allows amplification only upon prior written approval from DSI and after notice to residents of the area. We have never received notification that amplification has been approved for any event or date. In direct violation of this condition, Wabasha Brewery has routinely amplified music throughout the summer and fall of 2022, most recently on this, the evening of October 22, 2022. Initially, we called the Brewery and asked that they turn the volume down. They did not. In fact, they after about the third call this summer, they turned the volume up. We stopped calling them and began, instead, to call Ross Haddow. Generally, I made calls on Monday mornings, because most, but not all, events were on Friday, Saturday, and Sunday nights. We have made numerous calls to Ross, left messages, and sent emails. We have even contacted our city council person. To no avail. Ross told me that after the third complaint, action would be taken against their license. We have contacted Ross on multiple occasions, with most

occasions referencing more than date when amplification has occurred. The total number of complaints has been well over three. No action has been taken. The music continues, amplified. Our property adjoins that of Wabasha Brewery for about 200 feet on the east side of our lot. We can hear the music in our backyard, and in our house. Sometimes it is loud enough to make out the words while inside the house. Because these events are so common, we cannot know that, should we choose to invite friends or family over on a summer weekend, that we will be able to enjoy our own back yard. In summary, Wabasha Brewery's owners are bad actors. They have failed to abide by the conditions under which the outdoor entertainment license was granted. they can therefore not be trusted.

We would further suggest an inspection of the area in which entertainment occurs and the audience sits. We understand that the area is defined and limited the license. However, the area seems to have grown.

Wabasha Brewery has increased traffic and parked vehicles, posing a risk to the neighborhood and those passing through it. An off-sale license will exacerbate this hazard. Wabasha Brewery frequently has a food truck parked outside its front door, very close to the intersection of Isabel and Wabasha. The food truck obscures visibility and constitutes a hazard. Coming down the Isabel hill, it is extremely difficult to see traffic coming from the south. Many neighbors have commented on this.

Several weeks ago, we were proceeding east down Isabel toward the intersection in question. A white four-door car coming toward the intersection from the east ran the stop sign and nearly hit an SUV traveling south on Wabasha. Both drivers swerved, avoiding a collision. The driver of the white car ended up facing south and sped away. The driver of the SUV slid sideways, jumped the curb on the north side of Isabel, missed the fire hydrant, and came to rest immediately beside the gas meter for the building. The fire department was called and, together with police, cordoned off the area. The firemen eventually approached the building and tested for gas. Fortunately, there was none. Had there been a leak, it is likely that the SUV driver (who was not at fault for any of this), the tenant who lives in the building, and possibly us and the Brewery itself would no longer be alive. This area does not need more traffic.

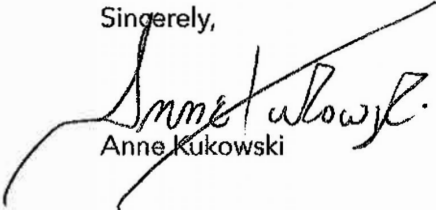
With dedication of the majority of their parking lot to entertainment, all or most Wabasha Brewery customers now park on the street. This increases congestion and contributes to poor visibility at the intersection of Wabasha and Congress. The Taco Shop and Rodriguez

Auto Service, other businesses along this stretch that attract many customers, both provide significant on-site parking. Why is this not a requirement for Wabasha Brewery.

A Brewery - especially a Brewery intent on expanding its business and clientele - does not belong in this neighborhood. This area is residential and has many children. Within the 55017 zip code, 24% of residents are 19 or under; 15% are under 10; and 29% of households have children. A multi-story apartment building is located diagonally across the street from Wabasha Brewery. The next block to the south along Wabasha has low income housing in which families with children live. A day care is located along this same block. Continuing south, the next block houses a school and the Church of St. Matthew. Another church, the Church of Christ, is located less than one block to the east of Wabasha Brewery. This Brewery does not belong in our neighborhood at all, much less with the additional licenses allowing outdoor entertainment and off-sale malt which only exacerbate the concomitant with having a business selling alcoholic beverages in a residential zone. Do not approve this license for this business which is already disrupting the peace, quiet, and safety of our neighborhood..

Finally, **please inform us why no hearing was held regarding Wabasha Brewery's application of the outdoor entertainment license.** We wrote letter in response to that application and, pursuant to the License Application Notification, we expected a hearing. Several of our neighbors also wrote letters. In speaking with one couple today, I learned that they, too, had expected that if we wrote letters, there would be a hearing.

Sincerely,



Anne Kukowski



Stephen Gammon