

## Moermond, Marcia (CI-StPaul)

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**From:** Zangs, Larry (CI-StPaul)  
**Sent:** Thursday, December 10, 2015 5:10 PM  
**To:** RTZ Productions  
**Cc:** Moermond, Marcia (CI-StPaul); Fischbach, Jeffrey (CI-StPaul); Schweinler, Kristina (CI-StPaul); Hudak, Eric (CI-StPaul); Lane, Wendy (CI-StPaul); Magner, Steve (CI-StPaul)  
**Subject:** RE: 929 W. 7th St.- St. Paul Garden Theater Renovation  
**Attachments:** Codes for commercial parking.docx

Mr. North: It was good talking to you today. Per our phone conversation I have attached the zoning codes related to the various parking scenarios you mention below. I have arranged it so you know what the code says about:

- where commercial parking can be in relation to the property it is intending to serve
- the requirement for planning commission approval if you can get an agreement to share parking with the church or other institutions( Not sure what Fort Road Federation is offering)
- requirements for sharing parking with other commercial like the Schmidt Brewing property if that becomes an option. This likely would require a conditional use permit and planning commission approval
- the findings necessary to obtain a variance of the parking requirements

### BELOW OUTLINES BUILDING AND LICENSING PROCESSES YOUR PROJECT WILL NEED TO GO THROUGH THAT WE DISCUSSED TOO

#### Zoning

1. The property is in a B2 commercial district and a theater/assembly hall, concert hall is a permitted use in this zoning district.
2. The use will need to meet the off-street parking requirement per our discussion ( 1 space per every 4 seats)
3. This additional parking can be provided by:
  - Developing additional parking on the lot or re-configuring the existing parking lot layout to provide the additional space needed. Will need to submit a site plan which illustrates a parking arrangement that meets City parking standards. City staff will need to review and approve the proposed layout for this parking.
  - Provide additional parking through a shared parking agreement with a neighboring business. City staff will need to review and approve any shared parking agreement.
  - Request of variance of the parking requirement.

If zoning conditional use permit (CUP) must be obtained. Issuance of this permit is a decision of the Saint Paul Planning Commission and requires a public hearing. Allow at least 60 days to complete this permitting process.

Request for variances are considered by the Board of Zoning Appeals at a public hearing. Allow at least 60 days to complete this process.

#### Building Code Requirements

This proposal will require a building permit to proceed. The building permit is issued only after plans have been approved by city staff.

Architectural , mechanical plans required to be submitted under the General Building Permit Application. In addition to the building permit, separate permits are required for any plumbing, electrical, mechanical work and elevator installation and any sprinkler modifications. These permits must be obtained and the work performed by city license contractors in each of the respective trades.

Two sets of complete construction documents (including floor plans and any structural or mechanical ventilation plans) must be submitted with the building permit application to our plan review group in DSI.

- The construction documents must include architectural and any structural plans signed and stamp by design professionals, registered in the State of Minnesota, in the each of the respective disciplines. Architect shall provide code analysis.
- Mechanical ventilation plans will need to be prepared a mechanical engineer, registered with the State of Minnesota.
- The plumbing and electrical contractors for this project should contact our office if they have questions about whether plans need to be submitted with their permit request.

**Notes:**

Contact our plan review group, with question about specific plan submission requirements at 651- 266-9070.

**SAC, or Service Availability Charge** Propose project will require payment of a “service availability charge”(SAC). SAC, or Service Availability Charge, is a one-time fee imposed by the Metropolitan Council Environmental Services on Local Government Units and other communities with building authority for their portion of the reserve capacity cost of the Metropolitan Disposal System (MDS). SAC is not a connection fee. It is for sewer capacity availability at the MDS.

Need to submit a copy of the plans to the Metropolitan Council Environmental Services (MCES) for a SAC determination. If MCES determines that a SAC fee is owed, the City will collect that payment under the building permit fee.

[Leola Sears - General SAC Questions and submittal information](#)

[651.602.1531](tel:651.602.1531)

[SACprogram@metc.state.mn.us](mailto:SACprogram@metc.state.mn.us)

### **Fire Prevention**

A sprinkler system for fire suppression may be required for this development.

### **City Licensing Requirements**

The business proposed for this location will most likely require license(s). ( e.g. liquor theater, rental hall)

City license(s) identified for the proposed business require a 30 45 day public notice. In instances where a notice of a license request is required, processing time for the license can take 75 to 90 days.

### **General statement about the review process**

When applying for a business license or building permit you will need to resolve any zoning issues first before the permit or license can be issued.

The business license will be issued when all information on the application has been verified, the proper notice time has expired without objections from the neighboring properties and the construction work is completed and approved by the building official.

Disclaimer: All information provided herein summarizes the City’s understanding of the project as described by the applicant and may not be a complete list of the items necessary for the required approvals.

Call or e-mail me if you have questions. I did not send application material for zoning or licensing issues at this time. I can do that when you have made final decision about purchasing the property. Just let me know when you are ready to go forward with the project.



**Lawrence R. Zangs**

***DSI Inspector III - Zoning***

Department of Safety & Inspections

375 Jackson Street - Suite 220

Saint Paul, MN 55101

**P:** 651-266-9082

**F:** 651-266-9124

[larry.zangs@ci.stpaul.mn.us](mailto:larry.zangs@ci.stpaul.mn.us)



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***“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”***

**From:** RTZ Productions [mailto:rtzprod@gmail.com]

**Sent:** Monday, December 07, 2015 1:16 PM

**To:** Zangs, Larry (CI-StPaul)

**Cc:** Fischbach, Jeffrey (CI-StPaul)

**Subject:** Re: 929 W. 7th St.- St. Paul Garden Theater Renovation

Mr. Zangs,

Greetings again. I believe we had a nice phone conversation a few weeks ago regarding our plans to develop a 150 seat theater at 929 W. 7th St. in St. Paul. We currently have a closing date of December 14th. In the meantime, we are working with architects, contractors, financial institutions, and Marcia Moermond at the City level to ensure the feasibility of our plan.

We have known from day one that parking is going to be a hurdle that we have to creatively approach and hope to clear. Our plan is to co-op parking spots in the area - the three spots we are considering are as follows:

- The Lot at the St. Francis De Sales Church / Upper Mississippi Academy lot (within 300 feet to the West)
- Parking at the (soon to be developed by Craig Cohen) Schmidt Brewery Property (most likely within 300 feet)
- A lot currently owned by the Fort Road Federation (within 500 feet to the East - may need to ask for a variance for the distance?)

I am guessing that we will need to talk about asking for a variance when it comes to this parking issue.

I hope you had a chance to check out the draft of our floor plan. Assuming that everything goes according to plan - what will be our next steps to ensure that we are working proactively to meet the City Zoning requirements? Beyond parking, what else should we be considering? Thank you so much for your time.

Ryan North

cc: Jeffrey Fischbach

On Mon, Dec 7, 2015 at 12:22 PM, Fischbach, Jeffrey (CI-StPaul) <[jeffrey.fischbach@ci.stpaul.mn.us](mailto:jeffrey.fischbach@ci.stpaul.mn.us)> wrote:

Ryan,

Thanks for the email.

You should contact Larry Zangs, DSI Zoning Division, at [651-266-9082](tel:651-266-9082) email ([larry.zangs@ci.stpaul.mn.us](mailto:larry.zangs@ci.stpaul.mn.us)) to discuss your proposal and what applicable City Zoning Code requirements must be met. Based on my quick look at the City Zoning Code requirements, and theater is required to have 1 off street parking space for every 4 seats. I have copied Mr. Zangs on this email.

I will need time to review this for licensing requirements. I have a couple of questions regarding your method of operation described below involving the secondary rental activity:

- Will the rental activities be limited to leasing the space out for only theater type activities?
- If not, what are the specific examples of the type(s) of events/activities you intend to allow and/or market the space to for rental use?

- Please provide specific examples of the type(s) of organization(s) you anticipate marketing and/or renting the facility to.
- What specific activity type(s) do you anticipate would be using the banquet hall seating arrangement.

Please provide the above referenced additional information so that I can review this for licensing requirements. You should note, based on the response to these questions I may have other follow-up questions.

Let me know if you have any questions regarding this matter.

Thanks,



**Jeff Fischbach**  
***DSI Inspector III - Licensing***  
Department of Safety and Inspections (DSI)  
375 Jackson St, Suite 220  
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**From:** RTZ Productions [mailto:[rtzprod@gmail.com](mailto:rtzprod@gmail.com)]  
**Sent:** Sunday, December 06, 2015 6:47 PM  
**To:** Fischbach, Jeffrey (CI-StPaul)  
**Subject:** 929 W. 7th St.- St. Paul Garden Theater Renovation

Mr. Fischbach,

The address of our property is 929 W. 7th St., St. Paul, MN 55102. If everything goes well, we officially take

possession on the 14th of December. We are calling the new entity: The North Garden Theater - (operating under our LLC: RTZ Productions).

Thank you for speaking with me over the phone on Friday. These attachments should help create some context as you figure out how to best classify our usage and licensing.

Our current plan calls for a 100 to 150 seat theater to be created. Other spaces will be the lobby, audience bathrooms, a box office, a concessions/bar area, a backstage area with M/F dressing rooms, shared bathroom, a shop, a management office, a control booth (for lights and sound), and a second floor room that could be used for storage, a classroom, or a secondary black box theater.

The risers, audience seats, and stage will not be fixed permanently to the floor. This will allow us and other groups to arrange the performance space as needed.

We may or may not install an elevator during this first phase of construction.

We will primarily produce our own theater, music, film, and arts programming AND secondarily rent out the facility to other theaters, organizations, and events.

We plan to operate a bar that would minimally sell soft-drinks, beer, wine, popcorn, and pre-packaged consumables (candy, etc) - perhaps a pre-prepared cheese and cracker box (to go with the wine). Hard liquor sales are not a priority. But, if it were included in the license, that would be fine. We would want to operate our concessions/bar for our own programming as well as when we rent the space to another group/organization.

We are also interested in the ability to convert the lobby/audience/stage area to banquet hall seating where we could bring in catered meals for luncheons, events, and receptions.

We would also like to use the spaces for both adult and youth based arts based educational programming.

I think this is a good start... I would be happy to clarify anything for you. I am reachable by e-mail at [rtzprod@gmail.com](mailto:rtzprod@gmail.com) or by phone at [612-272-5680](tel:612-272-5680).

Thank you so much for your consideration.

Sincerely,

Ryan North

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Moss Envy (formerly Twin Cities Green)

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