

October 18, 2014

To City Council of Saint Paul
3130 Ramsey County Courthouse
Saint Paul, Minnesota 55102

RE: Res-1729 Liquor License Application for the Eagle Street Grille, LLC
d/b/a The Salt Cellar at 173 Western Avenue North

Dear Council Members:

The Salt Cellar's desire to move into the former building of the College of Visual Arts on Western Avenue rests upon a determination in the Zoning Administrator Report on Parking Calculations, that no additional parking is required. As an architect I was interested to understand how they reached that conclusion. How could you could increase the number of people using a building by more than 100 and not have to provide any additional parking? How could a 150 to 180 seat restaurant only require 13 spaces?

Staff's basic determination is that because the previous use needed 33 cars and the new use requires 31, no additional spaces need be provided on site. However looking at the calculations in the determination I see errors, which if corrected would mean that seven to ten additional parking spaces are required.

The easiest error to see is staff used the factor of 1 car per employee in lieu of code stipulated 1 car per two employees. This reduces the previous need to 30 cars, which is fewer than the new need.

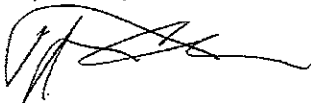
Staff's count of users at the facility is not documented and questionable. The last official record of use and parking need is found in the Resolution for the Conditional Use Permit filed by the College of Visual Arts, when they attached a building on Dayton Avenue to their campus. In that CUP the building at 173 Western Avenue is stated to need 24 parking spaces. And by that CUP the CVA could not increase their need for parking by more than 10 percent without having to provide that parking.

It may be quibbling but the gross square footage of the building used to calculate new parking appears to be closer to 13,728 s.f shown on the Ramsey County tax documents than the number staff used. An additional 1,100 sq ft of building would require three more spaces.

Therefore the documented former need is 24 spaces and the new use is 31 to 34 spaces. The proposed use as a restaurant should require an additional 7 to 10 spaces be found before it is allowed to proceed. Even without adding new parking, it is not possible to place more than 10 to 11 code conforming parking spaces on the site because of easements.

The proposal for a liquor license should not be supported since it does not demonstrated it can provide enough code conforming parking spaces. I urge you to send this back to the applicant, who can come back with a more compliant, less harmful proposal.

Respectfully



Peter Carlsen, AIA
482 Dayton Avenue, Saint Paul

From the Saint Paul Zoning Ordinance.
Factors to be applied for calculating parking spaces by use for arts school.

Table 63.207 Minimum Required Off-Street Parking By Use

Land Use	Minimum Number of Parking Spaces
Educational Facilities	
Day care	1 space per employee
Elementary/middle/junior high school	1 space per employee
Senior high school	1 space per employee, and 1 space per 10 students
College, university, seminary, technical college, trade school, business school, arts school, dance school	1 space per every 2 employees and 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater, plus required parking for other uses

Some overlooked provision in the Zoning Ordinance:

Sec. 60.103. Intent and purpose.

- (g) To **lessen congestion** in the public streets by **providing for off-street parking** of motor vehicles and for off-street loading and unloading of commercial vehicles;

Sec. 60.105. Scope of regulations.

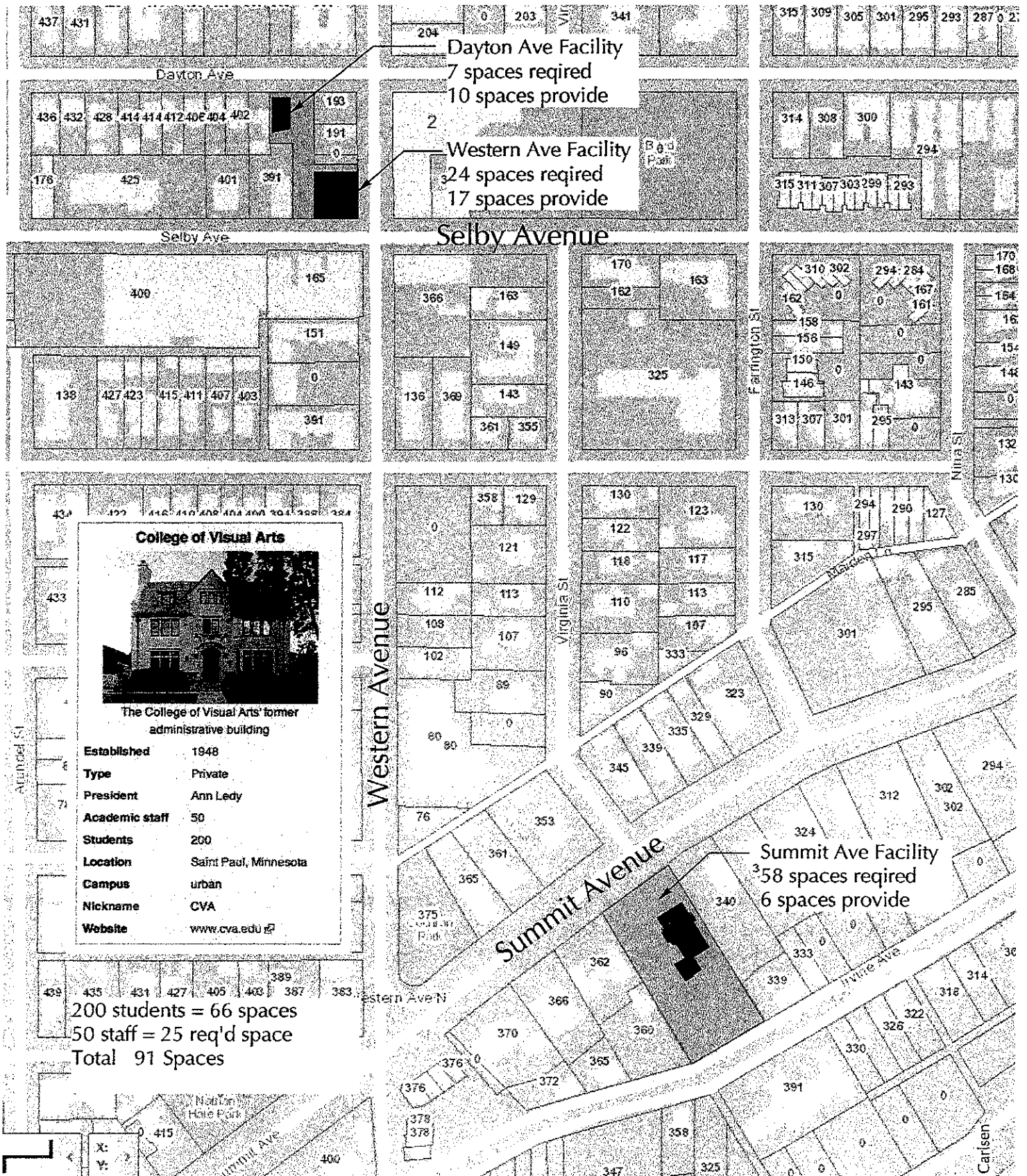
.....no new use or change shall be made or maintained of any building, structure, or land, or part thereof, except in conformity with the provisions of this code.

Sec. 63.312. Setback.

Except as otherwise provided in section 66.442(a) or section 66.431(b) off-street parking spaces shall not be within a required front or side yard **and shall be a minimum of four (4) feet from any lot line**

66.431(b)

Off-street parking shall be permitted to occupy a required front yard provided that the off-street parking area, exclusive of access driveways, **shall be set back a minimum distance of six (6) feet from any street right-of-way and meet the setback requirements of section 66.431(d)**



Dayton Ave Facility
7 spaces required
10 spaces provide

Western Ave Facility
24 spaces required
17 spaces provide

Summit Ave Facility
58 spaces required
6 spaces provide

College of Visual Arts

The College of Visual Arts' former administrative building

Established	1948
Type	Private
President	Ann Ledy
Academic staff	50
Students	200
Location	Saint Paul, Minnesota
Campus	urban
Nickname	CVA
Website	www.cva.edu

200 students = 66 spaces
50 staff = 25 req'd space
Total 91 Spaces

College of Visual Arts Campus City Approved Parking Distribution

Calculation of Parking Needs for Buildings of College of Visual Arts

From
City of Saint Paul Planning Commission Resolution
file number 95-81 Supporting
Special Conditional Use Permit by College of Visual Arts
Zoning file 95-221

On Page 5 of Resolution for the Selby Western Location lists **number of students at as 63 and number of teachers as 6.**

During the 1995-96 school year, the College of Visual Arts expects to have, at its Summit Avenue campus, 95 full-time students, 15 part-time students, and 42 employees. At its Western Avenue campus there will be 63 full-time students, 3 part-time students, and 6 employees. At its new campus on Dayton Avenue the college expects to have 14 full-time students, 2 part-time students, and 4 employees. The total enrollment and employees at all of the college's facilities is expected to be 244.

On Page 6 of Resolution states **24 spaces required** for Selby & Western Locations

The parking requirement for the number of students (32) and staff (21) spaces at the Summit location is 53 spaces. The requirement for the Selby & Western location for students (21) and staff (3) is 24 spaces. The requirement for students (5) and staff (2) at the Dayton location is 7. The school's total parking requirement for all students and employees is 84 spaces.

Property Identification Number (PIN) 01.28.23.21.0047
Property Address 173 Western Ave N
Municipality St. Paul
Watershed Capital Region W/S
School District Number 625

Assessment Date 01-02-2013 **01-02-2014**
Tax Payable Year 2014 **2015**

Total Estimated Market Value \$1,164,400 \$1,010,000
Total Taxable Market Value \$1,010,000

Total Estimated Land Value \$192,000 \$192,000
Total Estimated Building Value \$972,400 \$818,000

Property Tax \$0.00
Special Assessments \$1,025.18
Total Property Tax + Special Assessments \$1,025.18

Property Class Description Exempt Comm/Ind

Residential Finished SQ Feet/Comm, Ind, Apt Bldg Area
Foundation Size Year Built 1963
of Stories 1.00

The Plat or Section / Township / Range and Legal Description listed below may be an abbreviated legal description - Do not use to prepare legal documents

Section / Township / Range 1-28-23
Plat Kern's Addition To, st. Paul
Legal Description S 100 Ft Of Lots 29 And Lot 30 Blk 2
 To determine whether your property is
 Abstract or Torrens, call (651)266-2050

June 9, 2014

173 Western Avenue North
Owned by Selby Dayton LLC
01 28 23 21 0047
B2 zoning

63 documented students = 21 spaces
6 staff @ 1 space per 2 = 3spaces
Total former spaces= 24 Spaces

13,600 gsf @ 1/400 s.f.= 34 Spaces

Existing or last known use	Proposed
<p>College of Visual Arts 80 parttime students 6 staff = 33 nonconforming parking deficiency</p> <p><i>College parking is calculated based on 1 per 1 employees and 1 per 3 fulltime students or 1 per 3 parttime whichever is greater, plus required parking for other uses</i></p> <p><i>It appears that the College of Visual Arts occupied both the 1st floor and basement, no other uses</i></p> <p><i>1993 letter states that there are 21 off-street parking spaces (I can not find the site plan showing 21 off-street parking spaces)</i></p>	<p>Restaurant w/liq (midnight closing) 12600gfa/400 = 31 req</p> <p>This would reduce the nonconforming parking deficiency from 33 to 31</p> <p><i>If/when you decide to operate as a bar (restaurant w/liquor open past midnight)...</i></p> <p><i>According to 63.206(c)(1) – "In addition to the requirement of section 63.204 (change of use within a structure), there shall be provided off-street parking spaces for all bars or premises licensed for entertainment class C as provided herein:</i></p> <p><i>(1) Issuance of a license to an existing structure not previously licensed for a bar or entertainment class C during the twenty-four (24) months preceding the application, off-street parking pursuant to section 63.207."</i></p> <p>The parking requirement would be: 12600gfa/150 = 84 required off street parking spaces</p>

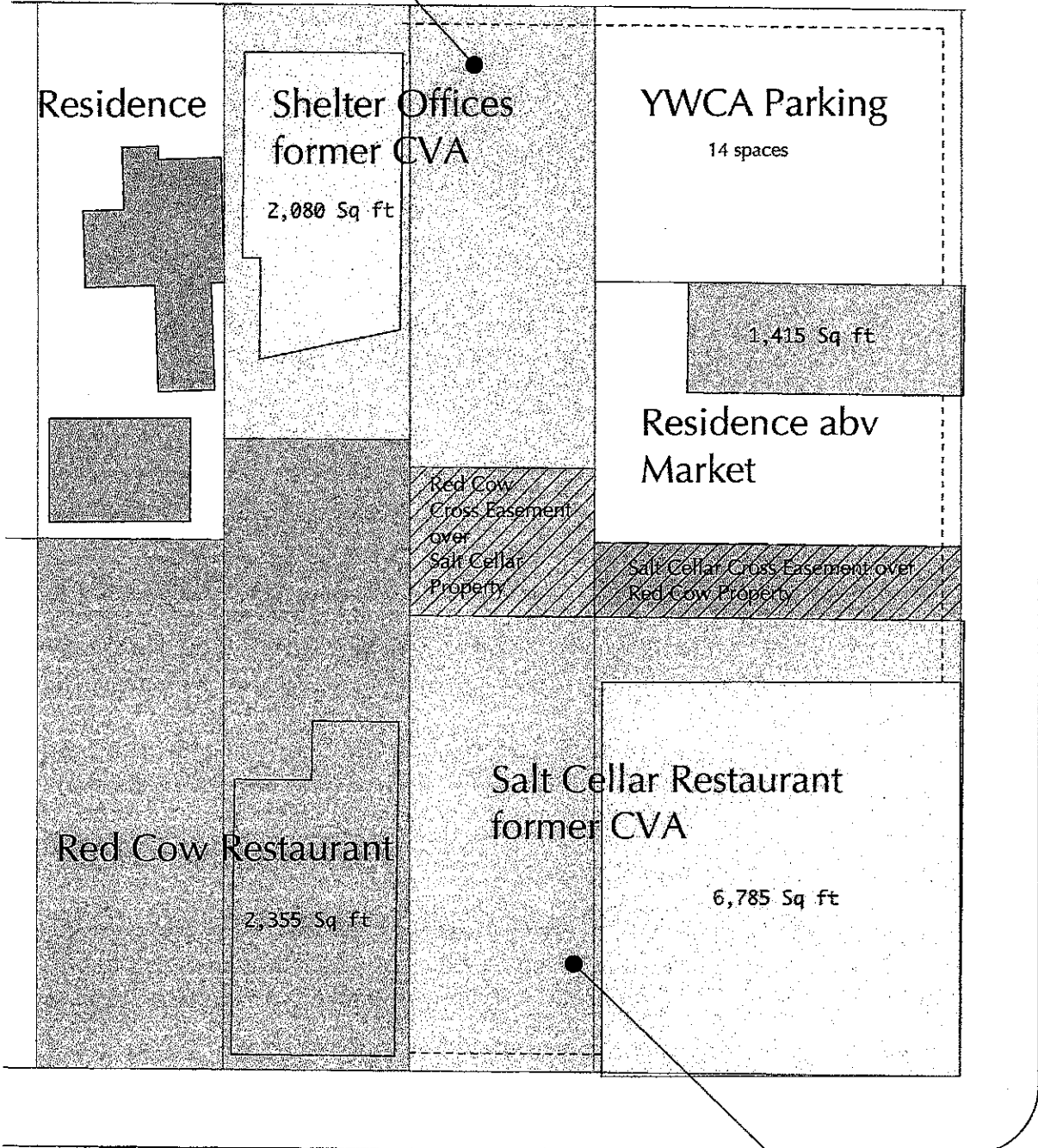
NOTE from CT: After visiting the site, I attempted to calculate the possible available legal off-street parking spaces on the neighboring property (385 Selby, owned by Selby Dayton LLC). The following page is an example of what I was able to come up with (10 (9x18) parking spaces including one ADA parking space).

Additional Note: the lease agreement at 173 Western Avenue North must clearly state that the parking spaces at 385 Selby are for the exclusive use by the tenants, employees and customers of 173 Western Ave N.

The items and notes in red are modifications based on numbers found in City and County records

Dayton Avenue

Former CVA
Dayton Ave Facility
7 spaces required
10 spaces provide



Western Avenue

Selby Avenue

LAND OWNERSHIP
AROUND FORMER BUILDINGS OF
COLLAGE OF VISUAL ARTS

former CVA
Western Ave Facility
24 spaces required
17 spaces provide

Note: number of actual spaces varies from 13 to 21. 17 is average of above and number counted on Ramsey County aerial photo