

OCCUPANT CLASSIFICATION  
(IRC Section 202)  
A-2 Restaurant  
S-2 Low Hazard Storage

OCCUPANT LOAD  
(IBC Table 1004.1.1)

A-2 Restaurant	Area	Factor	Occupant Load
North Lounge	831	1.8	15
North Bar	110	300	1
Food Lounge	1187	15	79
Service	131	300	1
Lounge	391	15	26
Lounge Bar	125	200	1
Dining	1229	12	89
Platform	179	13	12
Service	99	300	1
Kitchen	531	200	3
Existing Subtotal	5,142		283
Future West Dining	2287	15	172
South Terrace	283	15	19
North Terrace	351	15	23
Total Existing + Future	8,363		497

S-2 Storage	Area	Factor	Occupant Load
Storage	41	300	1
Storage	85	300	1
Storage	77	300	1
Storage	1108	300	4
Storage	99	300	1
Total	1,421		8

PLUMBING FIXTURES - SCOPE OF WORK  
(IRC Table 202.2)

A-2 Restaurant	WC - Men	WC - Women	Low - Men	Low - Women
Men @ 30% occ = 142	(1 per 75)	(1 per 75)	(1 per 200)	(1 per 200)
Women @ 30% occ = 142	1.9	1.9	0.7	0.7
S-2 Storage	WC - Men	WC - Women	Low - Men	Low - Women
Men @ 30% occ = 4	(1 per 100)	(1 per 100)	(1 per 100)	(1 per 100)
Women @ 30% occ = 4	0.1	0.1	0.1	0.1
Total Required	2	2	0.8 + 1	0.8 + 1
Total Provided	4	2	2	2

PLUMBING FIXTURES - SCOPE OF WORK + FUTURE WORK (see Notes #8 and #10)  
(IRC Table 202.2)

A-2 Restaurant	WC - Men	WC - Women	Low - Men	Low - Women
Men @ 30% occ = 249	(1 per 75)	(1 per 75)	(1 per 200)	(1 per 200)
Women @ 30% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage	WC - Men	WC - Women	Low - Men	Low - Women
Men @ 30% occ = 4	(1 per 100)	(1 per 100)	(1 per 100)	(1 per 100)
Women @ 30% occ = 4	0.1	0.1	0.1	0.1
Total Required	3.4 + 4	3.4 + 4	1.3 + 2	1.3 + 2
Total Provided	4	2	2	2

ISSUED  
DATE: 01/18/2023  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
PROJECT: [Signature]  
DATE: 2023 JAN 2023 - Reg. No. 1833  
FUNDING

MECHANICAL CONSULTANTS  
[Firm Name]  
[Address]  
[Phone]

CIVIL CONSULTANTS  
[Firm Name]  
[Address]  
[Phone]

CONSTRUCTION MANAGEMENT  
[Firm Name]  
[Address]  
[Phone]

EXHIBIT  
1-35  
1/18

RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVENUE  
ST. PAUL, MINNESOTA

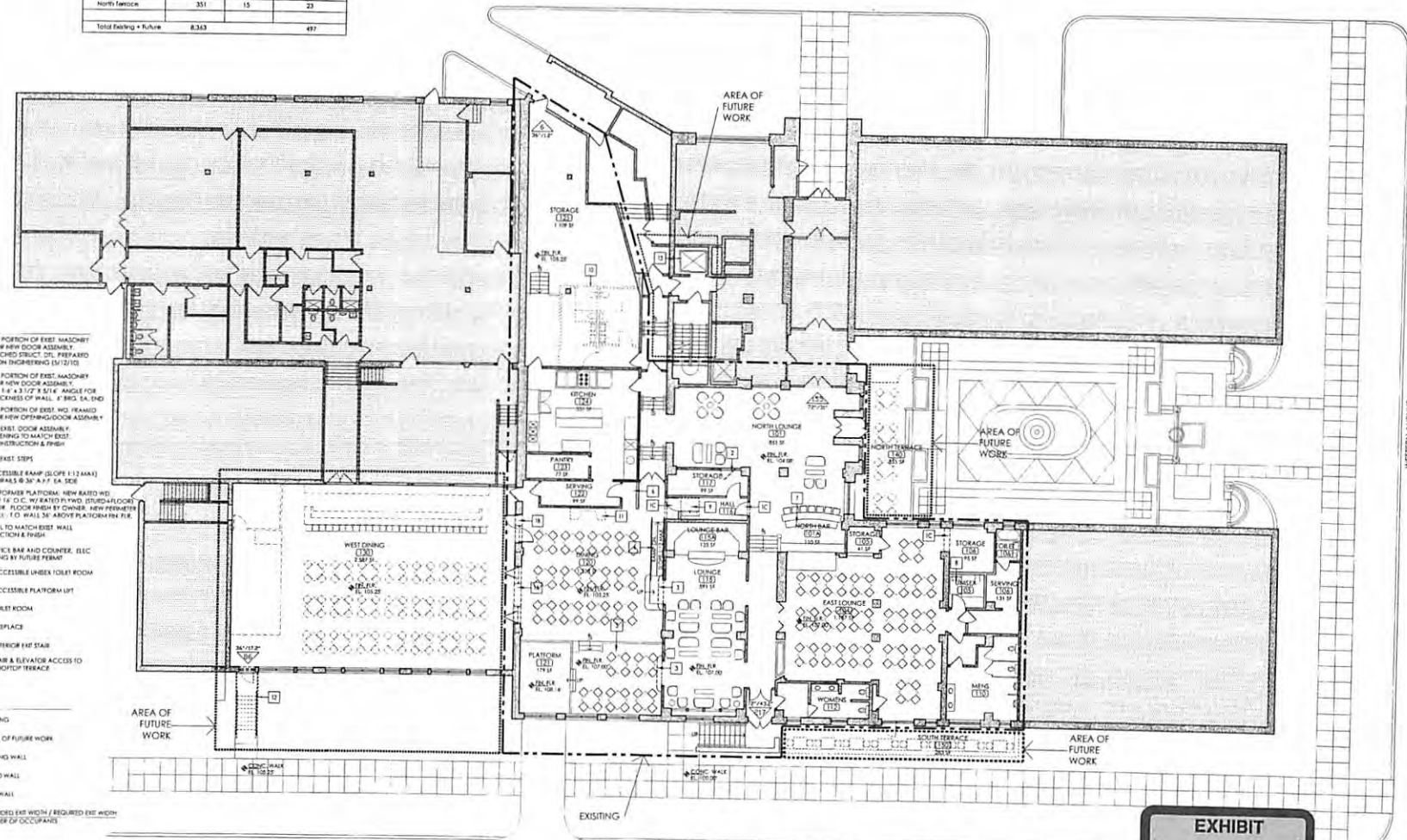
WESTERN AVENUE  
HOLLY AVENUE

WESTERN AVENUE  
HOLLY AVENUE

WESTERN AVENUE  
HOLLY AVENUE

- KEY NOTES:
- REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DTL. PREPARED BY CARSON ENGINEERING (U) (210).
  - REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1/4" x 3/4" x 1/2" ANGLE FOR EA. #. THICKNESS OF WALL. #. BRG. EA. END.
  - REMOVE PORTION OF EXIST. W/ FRAMED WALL FOR NEW OPENING/DOOR ASSEMBLY.
  - REMOVE EXIST. DOOR ASSEMBLY. WALL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH.
  - REMOVE EXIST. STEPS.
  - NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 3" x 4" EA. SIDE.
  - RESTORE FORMER PLATFORM. NEW BARTO W/ JACKETS @ 1/4" O.C. W/ BARTO IN TWO (2) BLDG FLOOR. FLOOR FINISH BY OWNER. NEW PERIMETER FIBER WALL. I.O. WALL TO ANDRY PLATFORM FIN. FIB.
  - NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH.
  - NEW SERVICE BAR AND COUNTER. ELEC & PLUMBING BY FUTURE PERMIT.
  - FUTURE ACCESSIBLE UNisex TOILET ROOM.
  - FUTURE ACCESSIBLE PLATFORM LIFT.
  - FUTURE TOILET ROOM.
  - FUTURE PREPLACES.
  - FUTURE EXTERIOR EXT. STAIR.
  - FUTURE STAIR & ELEVATOR ACCESS TO FUTURE POOCHY TERRACE.

- SYMBOL KEY:
- EXISTING
  - AREA OF FUTURE WORK
  - EXISTING WALL
  - DEMOL. WALL
  - NEW WALL
  - PROVIDED EXT. WIDTH / REQUIRED EXT. WIDTH MEMBER OF OCCUPANTS



1ST FLOOR PLAN

EXHIBIT  
R-1

3/32" = 1'-0"



# CITY OF ST PAUL

Department of Safety and Inspections  
375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

# GENERAL BUILDING PERMIT APPLICATION

Visit our Web Site at [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

PROJECT ADDRESS	Number 79	Street Name WESTERN	St. Ave. Blvd. Etc.	N S E W	Suite/Apt	Building Name COMMODORE	Date 2/3/12
Contractor OWNER	(Include Contact Person)			Address 42 COMMODORE FRANKS SUITE 500 SAINT ROYAL BLVD WEST ST PAUL MN		Phone 651-221-5515	
State Building Contr. Lic. #				Address CITY STATE, ZIP + 4		Phone	
Property Owner COMMODORE TRV	(Include Contact Person) JOHN RAPP			Address CITY STATE, ZIP + 4		Phone	
Architect OWNER	651-221-5515			Address CITY STATE, ZIP + 4		Phone	

Select the Type of Work ▶

New Structure     Addition     Remodel/Alter     Repair

Select Applicable Installation Below.

Windows: # of windows ▶ \_\_\_\_\_

Roofing: # of squares ▶ \_\_\_\_\_

Siding: # of squares ▶ \_\_\_\_\_

▶ Note: 1 Square = 100 Square Feet

Select Type of Use ▶

Mixed Commercial/ Residential buildings enter information for both the Residential and Commercial Use.

Residential: # of Existing Dwelling Units ▶ \_\_\_\_\_

Residential: Final # of Dwelling Units ▶ \_\_\_\_\_

Residential: # of Dwelling Units Worked On ▶ \_\_\_\_\_

Commercial: Value of Coml. Work ▶ \$ 10,000

Est. Start Date ▶ \_\_\_\_\_

Est. Finish Date ▶ \_\_\_\_\_

Total Value ▶ \$ 10,000

Description of Project:  
Interior remodel

Applicant certifies that all information is correct and that all pertinent state regulations and city ordinances will be complied with in performing the work for which this permit is issued.

*[Signature]*  
Applicant Signature

PLEASE COMPLETE THIS SECTION ONLY FOR NEW STRUCTURE OR ADDITION

Structure Dimensions (In Feet)

Width	Length	Height	Total Square Feet (include basement)	Basement	# of Stories
				Yes No	

Is a Fire Suppression System Available? (i.e. - Sprinklers)  
Yes  No

Lot Dimensions (In Feet)

Lot Width	Lot Depth	Front	Back	Side 1	Side 2

Set Backs from Property Lines

For Office Use Only

Change/Expansion of Use? Yes / No		SUMMARY OF FEES	
Existing Primary Use RESTAURANT CONDOS	Occupancy Group A-2	Building Permit Fee	\$ 220.22
Proposed Primary Use RESTAURANT CONDOS	Construction Type V-A	Plan Check Fee	\$ 143.14
Zoning District RM3	Plan Number F-12-108	State Surcharge	\$ 5.00
PLAN REVIEW REMARKS OK STRUCTURAL - BK (2/3/12)		SAC	\$ -
		SAC Processing Fee	\$ -
		Design Review Fee	\$ -
		Park Dedication Fee	\$ -
S.A.C. #:	Reviewed By:	Date:	Warning Folder #
Charge	Credit	8-28-12	
State Valuation: \$ 10,000.00		Vacant Bldg. Folder #	
		(For Office Use Only) PERMIT # ▶ 12-017614	

Signature of Cardholder (required for all charges):

American Express     Discover     MasterCard     Visa

Enter Account Number ▶▶



EXHIBIT #



Folder	Property(1)	People(3)	Info(66)	Fee(4)	Process(10)	Document(3)	Comment(1)
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+ Add Save Query Refresh Add to Links View

**2012 017614 REM 00 B Building Permit**

Type B Building Permit      Status

Sub Type       Parent ID

Work       Row ID 3363201

Group Permit - DSI

**Primary Property**

Address 79 WESTERN AVE N.  
ST PAUL, MINNESOTA 55102-4601 ... PIN 012823240221 Prop ID  Folder Unit

Location Woodland Park Addition to St Subj To Esmt That Part Lying Above Elev 237.05 Ft Thru 240.15 Ft St Paul Datum.  
The Fol: Ex Trl In The Ne Cor & Ex S 6.29 Fl The W 31.25 Ft Of Lot 20 Blk 13 & Ex S 6.29 Fl The E 2.35 Ft Of Lot

**Tracking Dates and Reference Information**

In Date  Issue/Approve  Expires

Ref. No.  Issued By  Final Date

Name  Priority

TextField Editor -- Webpage Dialog

**Text Field Editor ( Maximum 4000 Characters )**

INTERIOR REMODEL - PER MEETING WITH OWNER IT WAS APPROVED BY BUILDING OFFICIAL JIM BLOOM THAT THE NEW RESTROOMS WOULD HAVE TO BE CONSTRUCTED TO 2007 MINNESOTA ACCESSIBLE CODE CHAPTER 1341 REQUIREMENTS EVEN THOUGH THE RESTROOMS ARE NOT ON AN ACCESSIBLE ROUTE. A UNISEX RESTROOM IS BEING PROVIDED.

1341  
OMIS

150%

Check Spelling    OK    Cancel

When can I drop off the revised Commodore plans to you? Would you prefer I meet with John?

John

**From:** Larry Zangs [<mailto:Larry.Zangs@ci.stpaul.mn.us>]  
**Sent:** Friday, March 30, 2012 9:59 AM  
**To:** John R. Rupp  
**Cc:** Christine Rozek; Jim Bloom; John Skradski  
**Subject:** Building Plan Review and licensing questions for the Commodore at 79 Western for Monday's meeting

**Comments and Questions regarding the plans under review for permit at our office.**

79 Western Ave N.

- o We need to know what your intention is for "future work" noted on plans.
- o The minor work being done (door openings, accessible ramp, miscellaneous wall construction) effects "future work" proposed .
- o See attached for liquor license conditions. Is there anything you are proposing for the Commodore that will required a modification to the license conditions

432 Summit Ave

- o We have requested floor plans of all levels to verify number of units in the building and exiting from those units.
- o We checked with our zoning staff and they have not received any information to date. This will require zoning approval.
- o Explanation of how Flexible Tenant Space will meet code.

420 Summit Ave

- o Plans are incomplete for information on wall types, door opening schedule, accessibility issues.
- o Key exiting plan from the building
- o Need SAC determination letter from Met Council before building permit can be issued.
- o We will need to discuss note on plans about future building expansion.

340 Cedar St

- o Does the 12<sup>th</sup> floor have a fire sprinkler system.
- o It was our understanding there would not be any future work on the interior of the building without having a complete fire sprinkler system throughout.
- o Have floors 1 thru 4 been upgraded with a fire sprinkler system.
- o If the sprinkler system has not been installed please provide documentation of the agreement with the city.

6<sup>th</sup> West 5<sup>th</sup> Street

- o Architect has not signed the drawings.
- o Architect has not submitted a code review of the whole building.
- o Plans are incomplete for information on wall types, door opening schedule, accessibility issues.
- o Need documentation that only one exit will be allowed.
- o Need SAC determination letter from Met Council before building permit can be issued.







CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

October 30, 2017

John Rupp  
Commonwealth Properties  
The Commodore Restaurant  
79 N. Western Ave.  
Saint Paul, MN 55102

Re: 79 N. Western Ave.  
Proposed Expansion Area West of the Commodore Restaurant

Dear Mr. Rupp:

This letter is in response to your request to allow the interior space west of the existing Commodore Restaurant to also be used as dining room space for the restaurant/bar. Your claim is that this space was issued a building permit for use as a restaurant/bar in 2012. Building Official Steve Ubl disagrees with your claim and has determined that the permit issued did not include the space in question. That disagreement is not a zoning issue and I have no authority to intervene. Additionally, the space included in the original liquor license obtained by the previous owner is irrelevant for zoning purposes.

This site is located in a RM3 residential zoning district. As such, the use of the property for a restaurant, bar, and squash club are all nonconforming uses established under the pre-1975 zoning code when hotels and accessory uses were permitted in residential zoning districts.

For zoning purposes, I am concerned about what the most previous use of this space in question was. Sec. 62.102 of the Saint Paul zoning code states that the burden of proof establishing a nonconforming use "shall be on the property owner." I have not received proof from you that the most recent use of this space was for a restaurant. You provided a floor plan from 1976 when the addition was constructed showing this area as a future dining room, but no evidence that use as a dining room was ever established. On the other hand, it appears that the area was used for the squash club based on: 1) The plans approved by the Heritage Preservation Commission for the windows along the south wall of the space in question, dated Aug. 7, 1987, were for the squash club and included a floor plan identifying the space as an exercise room, a storage room and two office rooms, and 2) Photos in our file show the space in question with exercise equipment in it, dated February 11, 2000.

You obtained this space in 2001; it was used for the squash club at some time prior to your acquisition. Although it was originally designed for future dining room space, it was never legally established as space for a restaurant. A squash club is a nonconforming health/sports club and a restaurant/bar is another type of nonconforming use. To change from one type of



John Rupp  
October 30, 2017  
Page 2

a nonconforming use to a different type of a nonconforming use requires a change of nonconforming use permit from the planning commission as specified under Sec. 62.106(b). Since this space has been vacant for more than one year, a reestablishment of nonconforming use permit is required as specified under Sec. 62.106(h). Both can be handled under the reestablishment of nonconforming use permit. In addition, off-street parking will need to be evaluated.

If you believe this decision is made in error, you may file an appeal with the Board of Zoning Appeals within ten days as allowed under Sec. 61.701. There is a filing fee of \$547.

Sincerely,



Wendy Lane  
Zoning Administrator  
651-266-9081

c: Therese Skarda  
Steve Ubl  
Dan Niziolek  
Yaya Diatta  
Allan Torstenson

Larson Engineering, Inc.  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com



**Commadore Hotel**  
St. Paul, MN

**New Door Opening**  
**-Structural Elevation and Details**

Book 1 of 1

Prepared for  
Commonwealth Properties, Inc.  
St. Paul, MN

I hereby certify that this plan, specification, or report was  
Prepared by me or under my direct supervision and that I am a  
duly Licensed Professional Engineer under the laws of the  
State of Minnesota.

Print Name MATTHEW JOHNSON

Signature 

Date 5/12/2010 License # 26631

Larson Engineering, Inc.  
White Bear Lake, Minnesota  
Project Number 11100375.000

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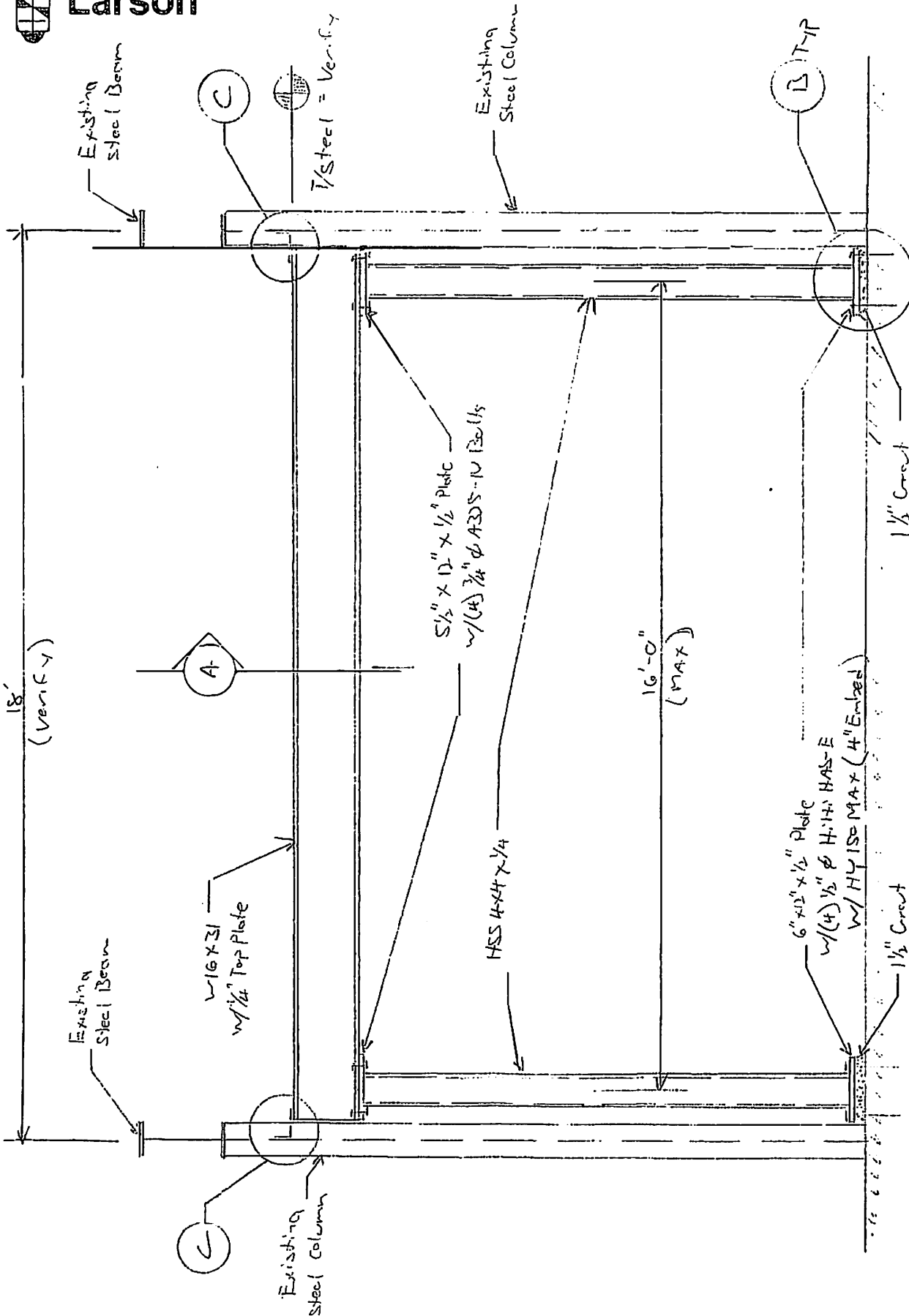
Larson Engineering, Inc.  
 3524 Labore Road  
 White Bear Lake, MN 55110-5126  
 651.481.9120 Fax: 651.481.9201  
 www.larsonengr.com

SUBJECT Commercial Hotel

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
 PROJECT NO. 1100375  
 BY MJH DATE 5-7-10



**Larson**



Note  
 - Existing will Not Shown for Clarity

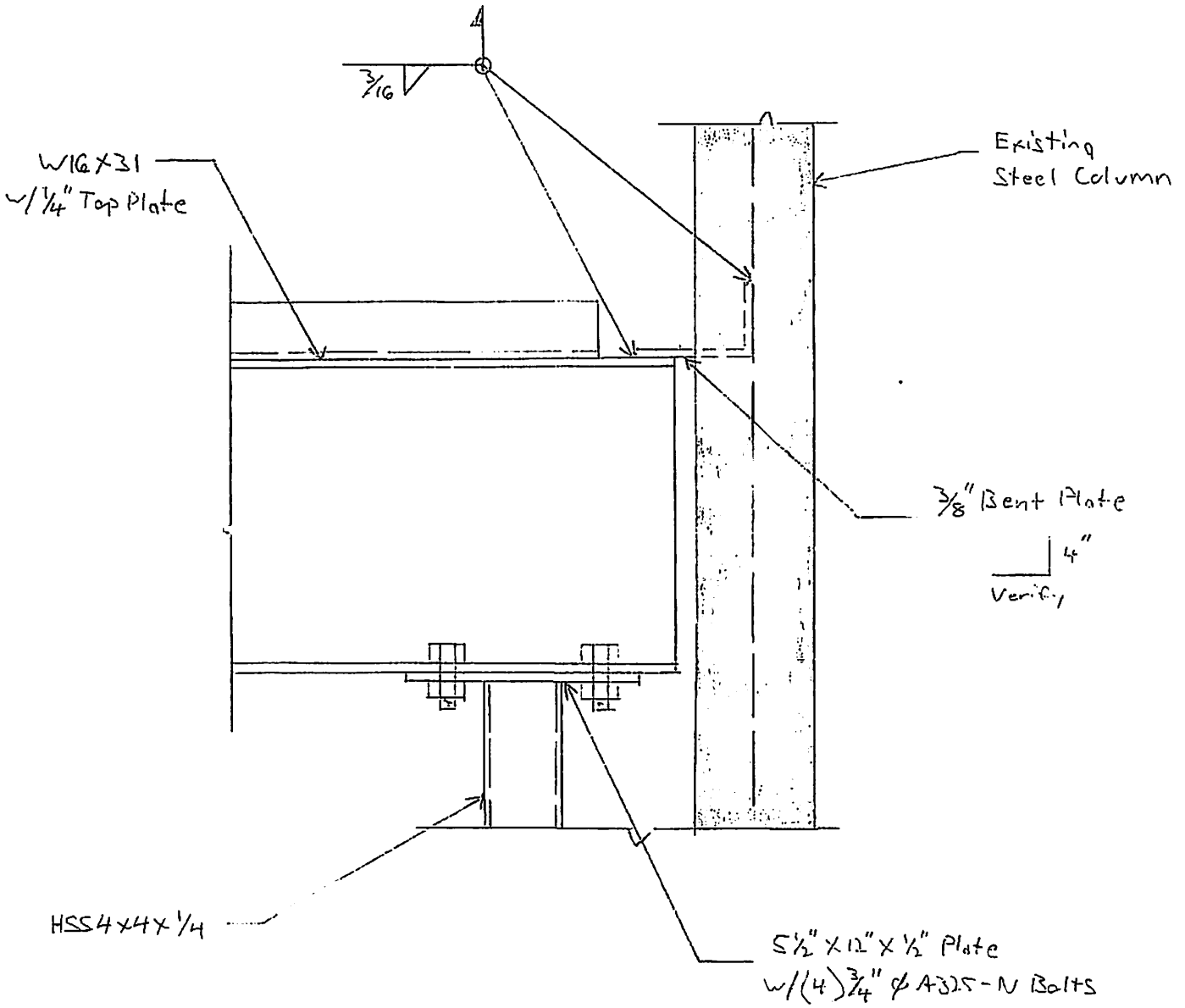
Elevation  
 3/8" = 1'-0"



Larson Engineering, Inc.  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com

SUBJECT Commodore Hotel

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
PROJECT NO. 11100375  
BY MJH DATE 5-12-10

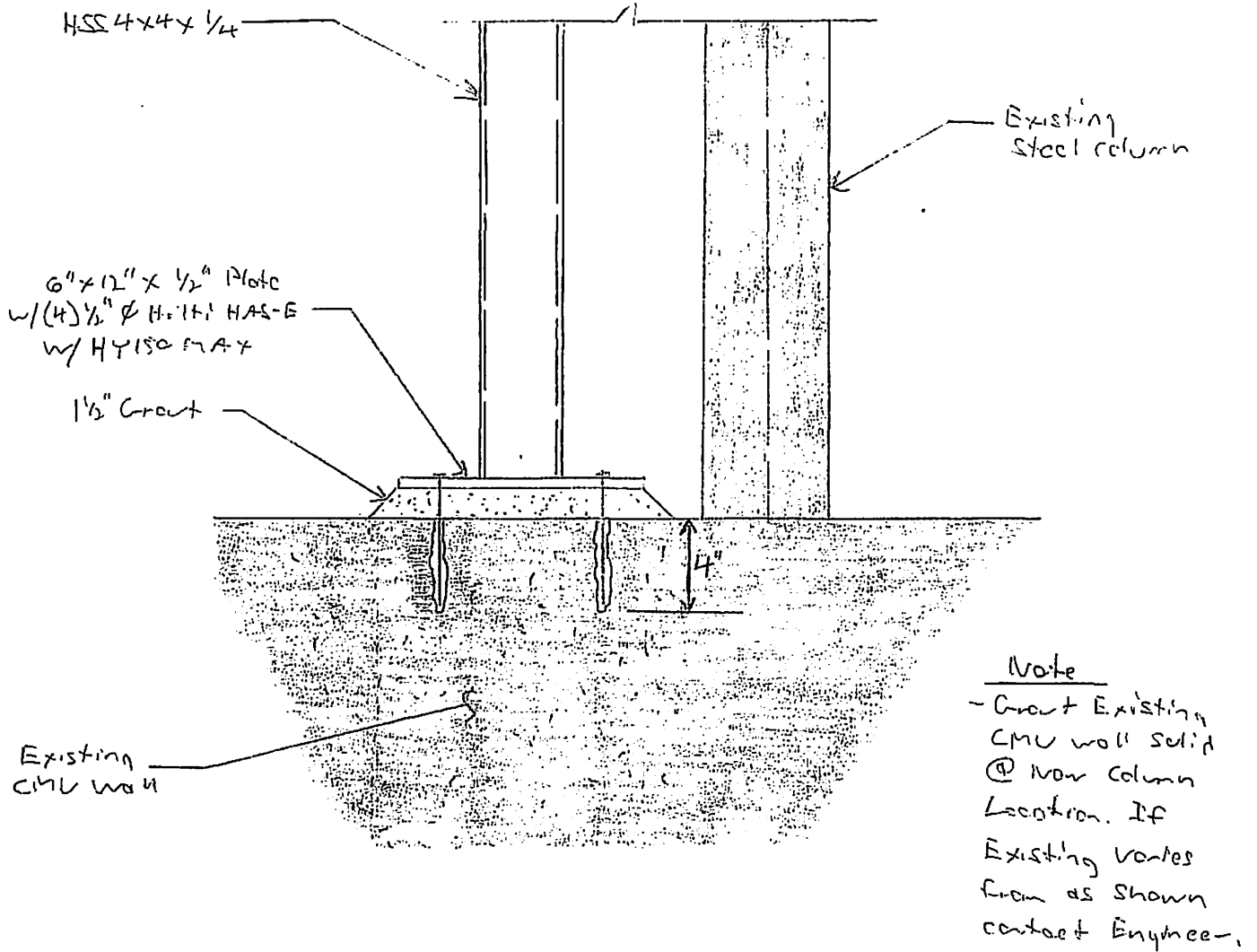


(C) Section  
1 1/2" = 1'-0"

Larson Engineering, Inc.  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com

SUBJECT Commanders Hotel

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
PROJECT NO. 11100375  
BY MBH DATE 5-11-10



(B) Section  
1 1/2" = 1' - 0"

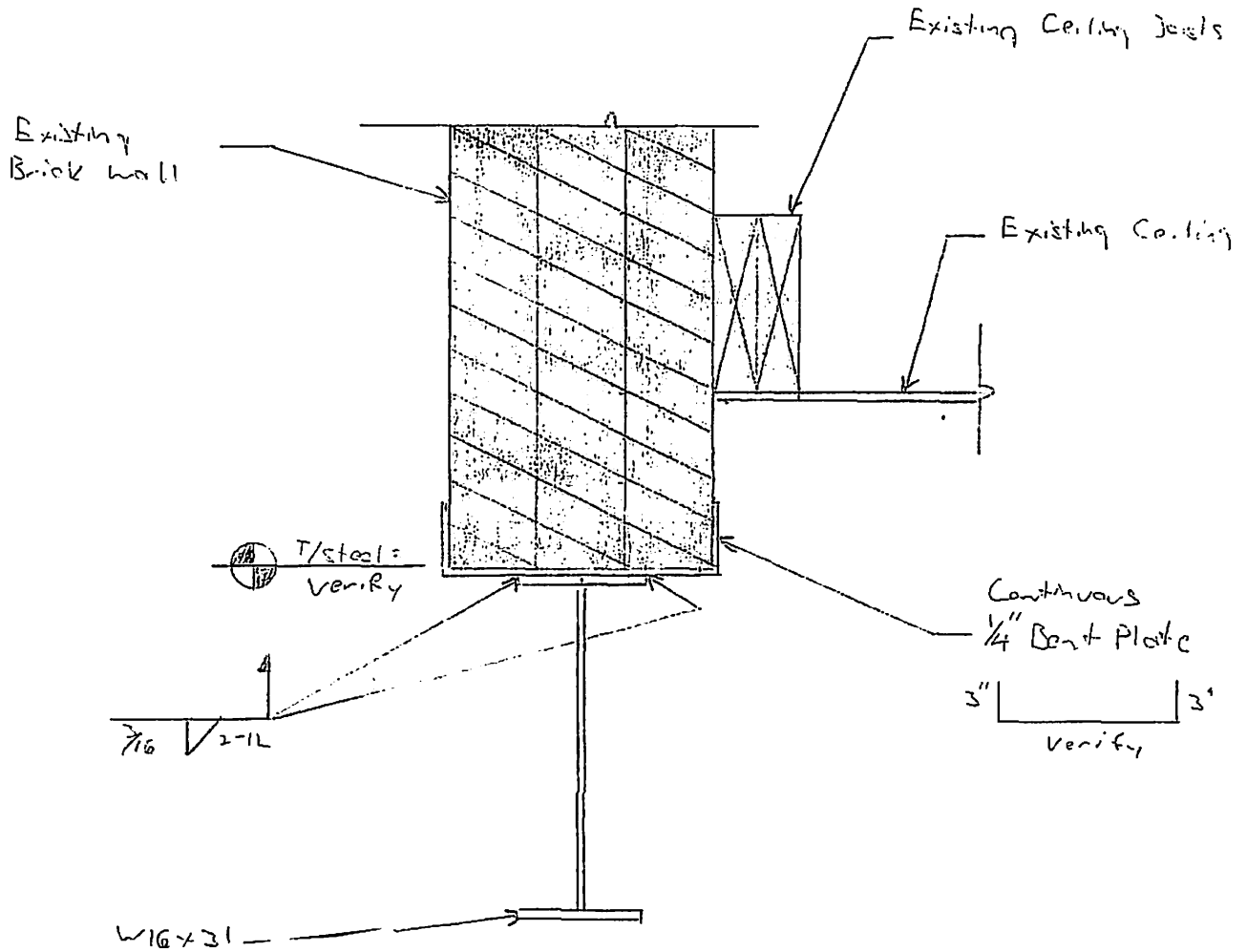
Larson Engineering, Inc.  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651 481.9120 Fax: 651.481.9201  
www.larsonengr.com

SUBJECT Commodore Hotel

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
PROJECT NO. 1100375  
BY M.B.H. DATE 5-11-10



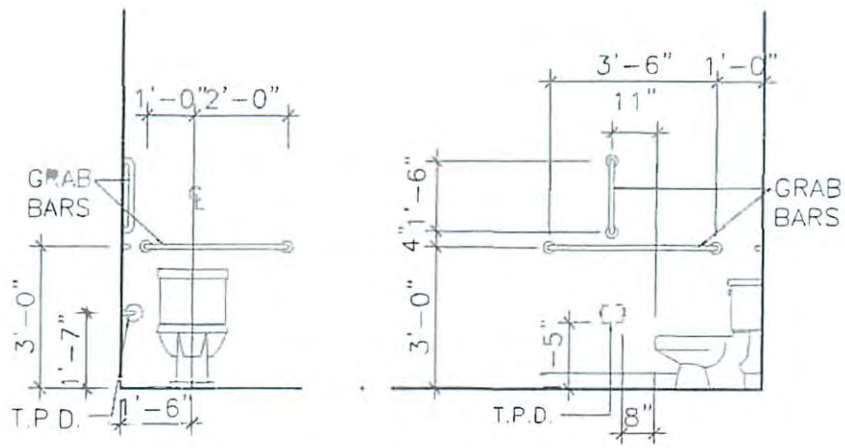
**Larson**



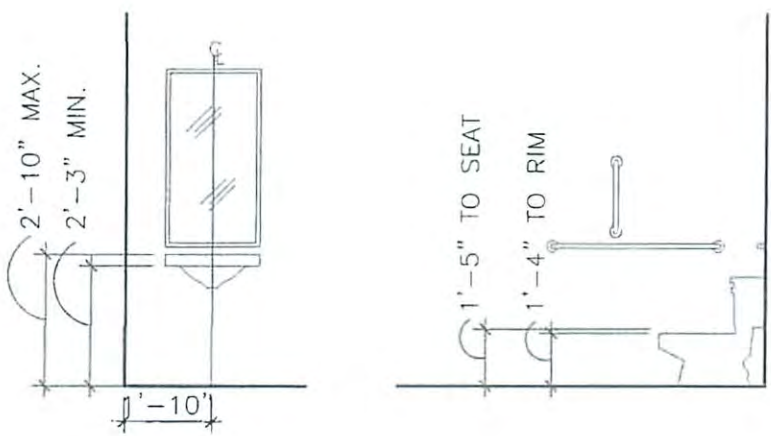
(A)

Section  
1/2" = 1'-0"

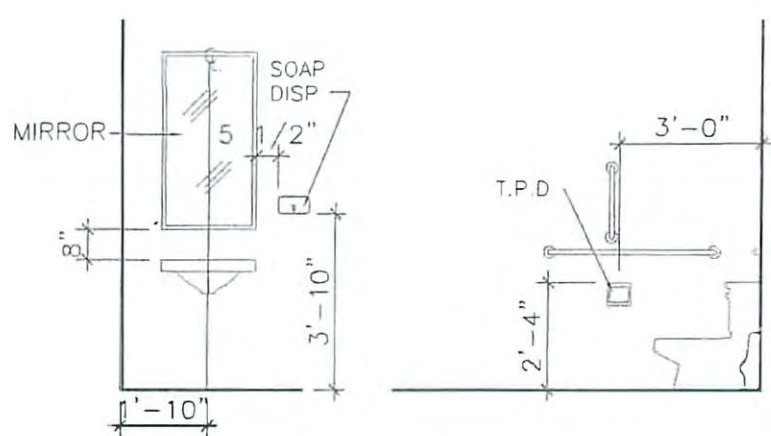




TYP. GRAB BAR MOUNTING HEIGHTS



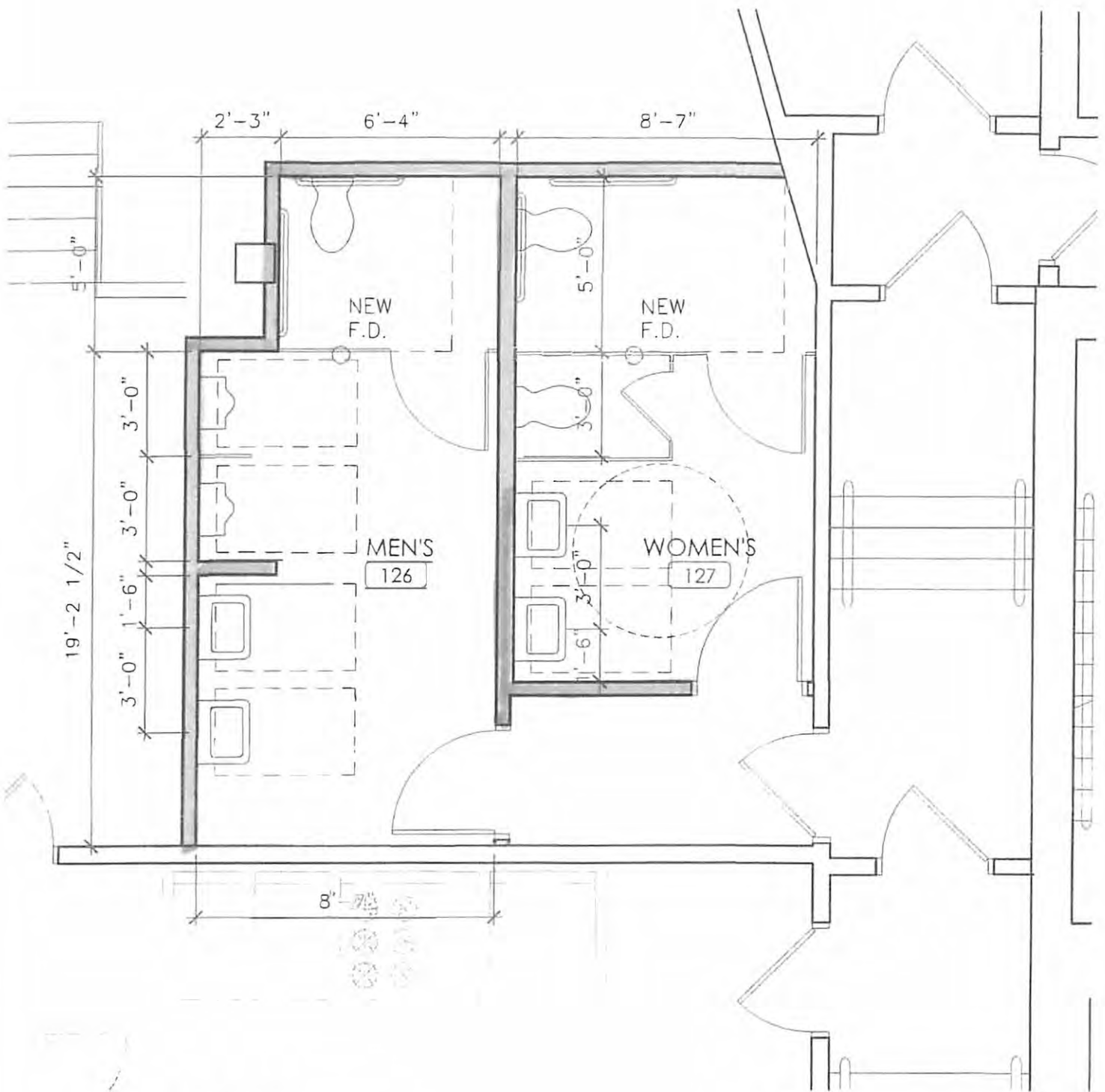
TYP. FIXTURE MOUNTING HEIGHTS



TOILET RM ACCESSORY MOUNTING HEIGHTS

1 RA3 TYP. TOILET RM MOUNT'G DTL'S. 1/4"





SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



ENLARGED TOILET PLAN

1/4"

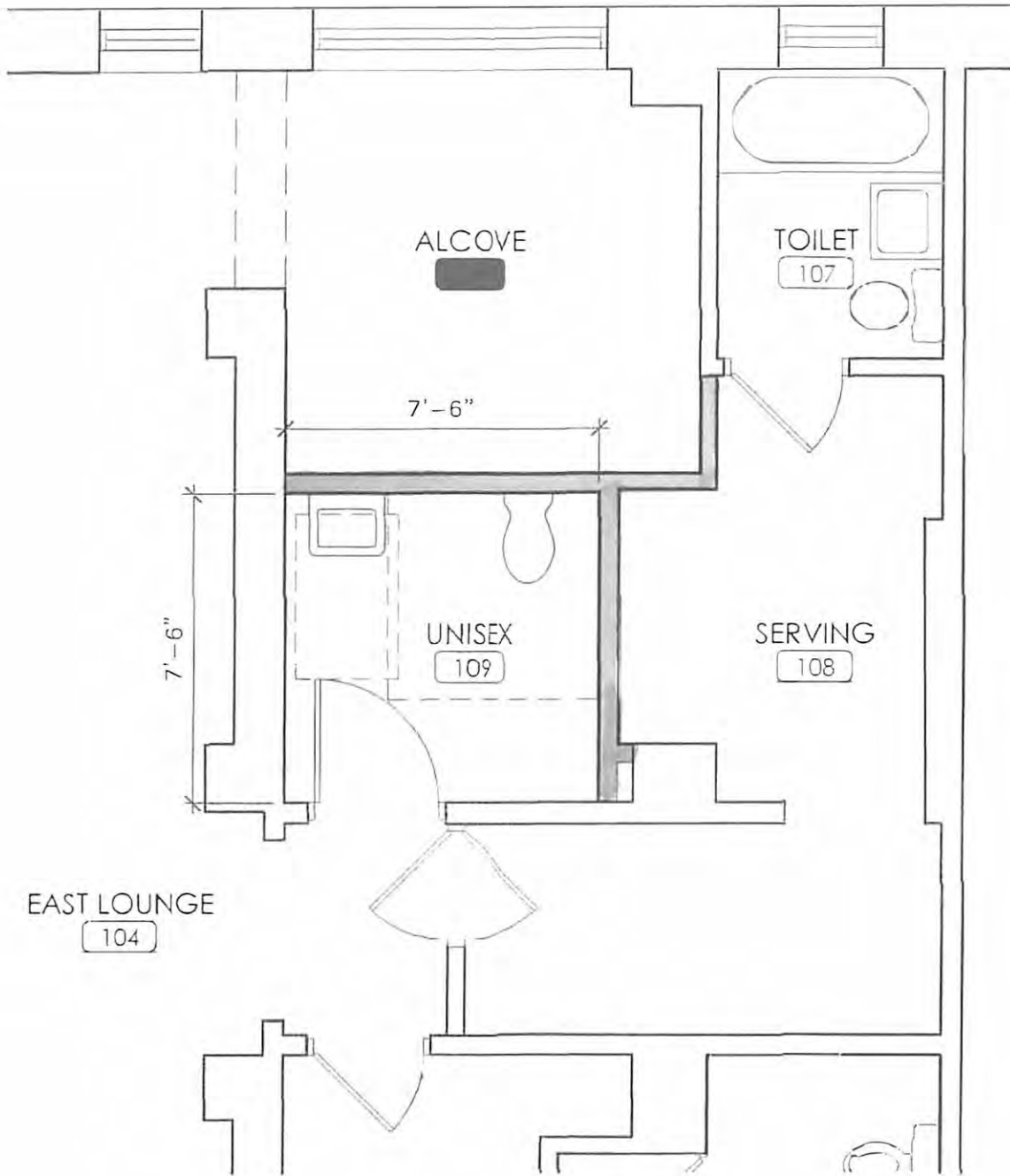
SHEET NO  
**RA1**

RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
79 WESTERN AVE N

Enlarged Toilet Room Plan

**MCCL**  
MCGUIRE COURTEAU LUCKE ARCHITECTS, INC.  
4 WEST 3RD ST. SUITE 401    P.O. BOX 144 25102    853.1727.843

DATE  
7 MAY 2011  
DRAWN  
B.L.F.  
CHECKED  
P.F.M.  
JOB NO



SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



ENLARGED TOILET PLAN

1/4"

SHEET NO

RA2

RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVE N

Enlarged Toilet Room Plan

**MICHL**  
MCGUIRE COURTEAU LUCKE ARCHITECTS INC.  
4000 20th St. Suite 400 St. Paul, MN 55108 651.722.8465

DATE  
7 MAY 2011  
DRAWN  
B.L.F.  
CHECKED  
P.F.M.  
JOB NO



OCCUPANT CLASSIFICATION  
(BC Table 1004.1)

A-2 Restaurant  
S-2 Low Hazard Storage

OCCUPANT LOAD  
(BC Table 1004.1)

Area	Factor	Occupant Load
North Lounge	851	15
North Bar	1116	200
East Lounge	1187	15
Service	131	300
Lounge	591	15
Lounge Bar	135	200
Dining	1378	15
Platform	179	15
Service	99	300
Kitchen	331	200
Existing Subtotal	5,142	283
Future West Dining	2387	15
South Terrace	283	15
North Terrace	351	15
Total Existing + Future	8,363	497

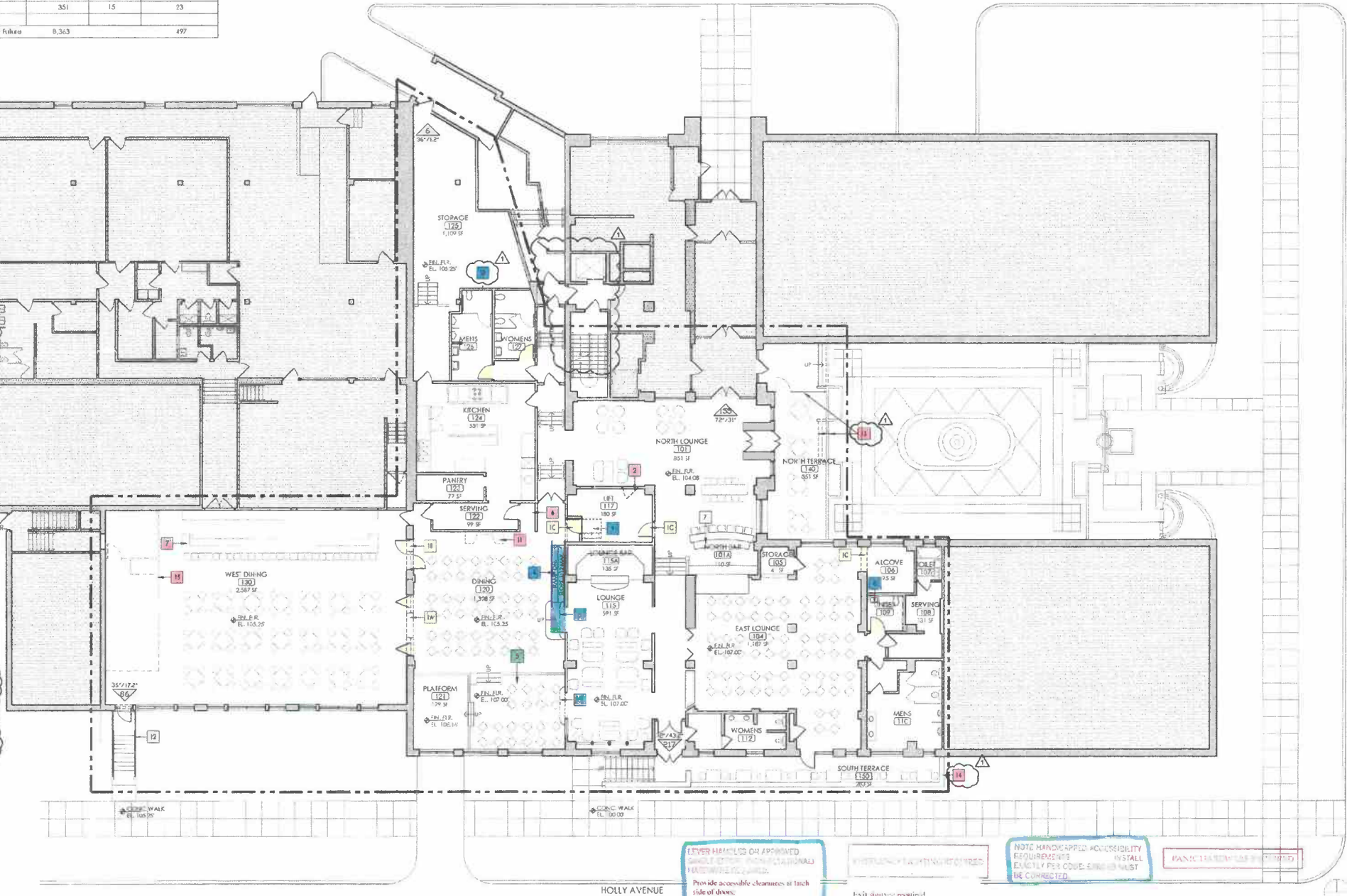
Area	Factor	Occupant Load
Storage	41	300
Storage	95	300
Pantry	77	300
Storage	1109	300
Storage	99	300
Total	1,421	8

PLUMBING FIXTURES  
(BC Table 2002.1)

	WC - Men	WC - Women	Lav - Men	Lav - Women
A-2 Restaurant				
Men @ 50% occ = 249	(1 per 75)	(1 per 75)	(1 per 200)	(1 per 200)
Women @ 50% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage				
Men @ 50% occ = 4	(1 per 100)	(1 per 100)	(1 per 100)	(1 per 100)
Women @ 50% occ = 4	0.1	0.1	0.1	0.1
Total Required	3.4 = 4	3.4 = 4	1.3 = 2	1.3 = 2
Total Provided	7	5	4	5

- KEY NOTES:
- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ARCHITECTURAL DRAWING FOR DETAILS PREPARED BY LANSCH ENGINEERING (5/12/10)
  - 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1-6" x 1-1/2" x 3/16" ANGLE FOR EA. 4" THICKNESS OF WALL. @ 8" O.C. EA. END
  - 1C REMOVE PORTION OF EXIST. W/D. RAMMED WALL FOR NEW OPENING/DOOR ASSEMBLY
  - 2 REMOVE EXIST. DOOR ASSEMBLY. INFILL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH
  - 3 REMOVE EXIST. STEPS
  - 4 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" A.F.F. EA. SIDE
  - 5 RESTORE FORMER PLATFORM. NEW RAISED W/D JOBS @ 1/4" O.C. W/ RATED F1750. (TURNS 1) TO SUB-FLOOR. FLOOR FINISH BY OTHER. NEW PERMIE X'NEE WALL - I.O. WALL 3/4" ABOVE PLATFORM FIN. FLR.
  - 6 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
  - 7 NEW SERVICE BAR AND COURTER. ELEC & PLUMBING BY OTHER PERMIE ACCESSIBLE UNDER TOILET ROOM SEE DETAIL T1RA2.
  - 8 FUTURE ACCESSIBLE TOILET ROOM
  - 9 NEW TOILET ROOMS. SEE DETAIL T1RA1. ELEC. & MECH. BY SEPARATE PERMIE
  - 10 PUBLIC RESTROOM
  - 11 NEW EXTERIOR EXIT STAIR. EXIT STAIR CONSTRUCTION BY SEPARATE PERMIE WITH HPC APPROVAL
  - 12 REMOVE & REPLACE EXIST. CONC. STEPS. ADD NEW DECORATIVE IRON FENCING AND GATE BY SEPARATE PERMIE WITH HPC APPROVAL.
  - 13 NEW DINING TERRACE. TERRACE CONSTRUCTION BY SEPARATE PERMIE WITH HPC APPROVAL.
  - 14 FUTURE PLATFORM & GREEN ROOM

- SYMBOL KEY:
- SCOPE OF INTERIOR ALTERATION WORK
  - EXISTING TENANT SPACE
  - EXISTING WALL
  - DEM'D WALL
  - NEW WALL
  - PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH / NUMBER OF OCCUPANTS



1ST FLOOR PLAN

LEVER HANDLES ON APPOINTED SINGLE ENTRY FUNCTIONALITY HARDWARE REQUIRED.

PROVIDE ACCESSIBLE CHAIRS AT EACH SIDE OF DINING. Minimum 18" on pull side. Minimum 12" on push side, if doors have both. Lanes and Chair.

EXISTING SIGNAGE REQUIRED. Verify locations with Building Inspector prior to installation.

NOTE HANDICAPPED ACCESSIBILITY REQUIREMENTS. INSTALL EXACTLY PER CODE. ERRORS MUST BE CORRECTED.

PANIC ROOMS AS SHOWN

RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
219 WESTERN AVENUE  
ST. PAUL, MINNESOTA

DATE: 01 FEB 2012  
DRAWN: [Signature]  
CHECKED: [Signature]  
DATE: 01 JAN 2010  
REG. NO. 8853  
74803/D10

MECHANICAL CONSULTANTS  
[Firm Name]  
[Address]  
[City, State, Zip]  
[Phone]

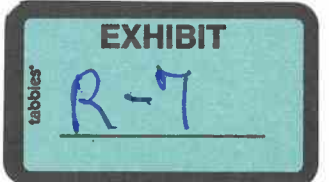
ELECTRICAL CONSULTANTS  
[Firm Name]  
[Address]  
[City, State, Zip]  
[Phone]

CIVIL CONSULTANTS  
[Firm Name]  
[Address]  
[City, State, Zip]  
[Phone]

STRUCTURAL CONSULTANTS  
[Firm Name]  
[Address]  
[City, State, Zip]  
[Phone]

CONSULTANTS: [Firm Name]  
[Address]  
[City, State, Zip]  
[Phone]

SHEET TITLE: CODE PLAN  
SHEET NO.: A1  
SCALE: 3/32" = 1'-0"





CITY OF ST. PAUL  
RECEIVED PER CODE COMPLIANCE  
DATE: 11/15/11  
BY: [Signature]

COMMODORE RESTAURANT  
79 WESTERN AVE N





# BUILDING PERMIT

PERMIT #: 20 12 017614  
Issued Date: August 30, 2012

**CITY OF SAINT PAUL**  
Department of Safety & Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
www.stpaul.gov/dsi  
Phone: 651-266-8989  
Fax: 651-266-9124

**CONTRACTOR:**

**OWNER:**

COMMON WEALTH PROPERTIES  
6 FIFTH STREET W SUITE 900  
SAINT PAUL MN 55102-1420

COMMON WEALTH PROPERTIES  
6 FIFTH STREET W SUITE 900  
SAINT PAUL MN 55102-1420

**PERMIT ADDRESS:**

79 WESTERN AVE N  
ST PAUL MN 55102-4601

Inspector: Ken Eggers

Phone: 651-266-9047

Schedule Inspection:  
7:30-9:00 AM Monday - Friday

SUB TYPE: Commercial

WORK TYPE: Remodel

HPC□□

Change/Expansion of Use?	No	Existing Primary Use (Commercial)	C-Restaurant/Bar
Proposed Primary Use (Commercial)	C-Restaurant/Bar	State Valuation	10000
Valuation Override	No	Scope of Remodel Work (C)	Minor Remodel
Structural Work?	Minor Structural Work	Interior/Exterior?	Interior Only
Interior Remodel-Com'l Scope	Tenant Interior	Exterior Remodel-Com'l Scope	N/A
Primary Occupancy Group	A-2	Primary Construction Type	V-A
Plan Number	F-2012-0108		

FEES	
Permit Fee	220.22
Plan Check Fee	143.14
Surcharge B	5.00
<b>TOTAL</b>	<b>368.36</b>

INTERIOR REMODEL -- PER MEETING WITH OWNER IT WAS APPROVED BY BUILDING OFFICIAL JIM BLOOM THAT THE NEW RESTROOMS WOULD HAVE TO BE CONSTRUCTED TO 2007 MINNESOTA ACCESSIBLE CODE CHAPTER 1341 REQUIREMENTS EVEN THOUGH THE RESTROOMS ARE NOT ON AN ACCESSIBLE ROUTE. A UNISEX RESTROOM IS BEING PROVIDED.







# BUILDING PERMIT

**PERMIT # : 20 12 017614**

**ISSUED DATE: 08/30/2012**

## JOB SITE ADDRESS:

79 WESTERN AVE N

## CONTRACTOR:

COMMON WEALTH PROPERTIES

PHONE: 651-224-5845

## TYPE OF WORK:

Commercial - Remodel

**BUILDING INSPECTOR: Ken E.**

**PHONE: 651-266-9047**

**Call between 7:30 - 9:00 AM Monday - Friday for inspection.**

### MINIMUM INSPECTIONS REQUIRED

1. Erosion control, soil, footings, foundation, and reinforcement as specified.
2. Rough-in for all trades prior to framing inspection.
3. Framing - prior to covering structural members.
4. Insulation and vapor retarder prior to covering.
5. Sheetrock that is part of a fire-resistive or shear assembly.
6. Final - prior to occupancy.

## INSPECTION APPROVALS

**Post this inspection record at the job site until final approval.  
Approved plans must be retained on the job site.**

**SEPARATE PERMIT REQUIRED FOR WORK OF EACH TRADE.**

**Building Inspection: 651-266-9002**

An erosion control inspection is required for land disturbances greater than 50 cu. yds.  
Controls must be installed, inspected and approved prior to beginning excavation.

Soil Erosion Control:	Insulation:
Footings:	Sheetrock:
Framing:	Final:

**Electrical Inspection: 651-266-9003**

Rough-in:	Final:
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**Mechanical Inspection: 651-266-9004**

Rough-in:	Final:
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**Plumbing Inspection: 651-266-9005**

Rough-in:	Final:
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**Warm Air/Ventilation Inspection: 651-266-9006**

Rough-in:	Final:
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**Elevator Inspection: 651-266-9010**

Rough-in:	Final:
-----------	--------

**Fire Inspection: 651-266-8989**

Rough-in:	Final:
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St. Paul, Minnesota, Code of Ordinances >> PART II - LEGISLATIVE CODE >> Title XXIX - LICENSES  
>> Chapter 411. - Entertainment >>

## Chapter 411. - Entertainment

- Sec. 411.01. - License required.  
 Sec. 411.02. - License classification.  
 Sec. 411.03. - Fee.  
 Sec. 411.04. - Licensing requirements.  
 Sec. 411.05. - One-day license.

### Sec. 411.01. - License required.

- (a) *Entertainment license.* No person licensed under Chapter 409 or Chapter 410 shall provide or furnish or permit another who is leasing, renting or using with or without consideration the licensed premises to provide or furnish entertainment on the licensed premises without first having obtained a license to do so as hereinafter provided. The provision or furnishing of entertainment without such a license, whether by the licensee or by persons using, renting or leasing the licensed premises, shall be grounds for adverse action against all the licenses held at and for the licensed premises. It shall not be a defense in an adverse action against the licenses held at and for the licensed premises that the licensee was not aware or did not know of the provision of such entertainment by persons renting, leasing or using the licensed premises. The license for each class of license provided for in this chapter is a separate license, and all the requirements of this chapter for obtaining a license must be met even though the licensee holds or has held a different class license hereunder.
- (b) *Limited entertainment license.* A person licensed under Chapter 409 or Chapter 410 may obtain a limited Class A or B license without complying with the consent requirements under section 411.04(b) of this chapter, as further provided in section 411.04(b)(5), (b)(6) and (b)(7) below, and such license shall be limited to permitting another who is leasing, renting or using the licensed premises, with or without consideration, to provide or furnish entertainment on the licensed premises for a wedding, anniversary or retirement dinner or reception, or similar family or social function.
- (c) *Extended hours.* The holder of an extended service license under sections 409.07.1 or 410.04(c) of the Legislative Code is subject to the regulations defined therein and may provide entertainment during the hours of extended service, but only in conformity with and as authorized by an existing entertainment license issued under this chapter. Notwithstanding any other provision of law, the council may, at any time and with respect to any establishment, condition or prohibit the provision of entertainment during the hours of extended service (i) in order to protect the public peace, welfare and safety, so long as such conditions or prohibitions do not relate to the content of the entertainment, and (ii) without notice and hearing, or compliance with any of the procedures provided in Chapter 310 of the Legislative Code.

(Code 1956, § 311.01; Ord. No. 17901, § 4, 1-14-92; Ord. No. 17924, § 1, 5-7-92; C.F. No. 92-1799, § 1, 12-22-92; C.F. No. 94-1660, § 1, 12-28-94)

### Sec. 411.02. - License classification.

Any person desiring to provide entertainment on the licensed premises must obtain an entertainment license of the applicable type as hereinafter provided:

**Class A—** Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment.

**Class B—** All activities allowed in Class A, plus dancing by patrons to live, taped or electronically produced music, and which may also permit volleyball and broomball participated in by patrons or guests of the licensed establishment plus stage shows, theater, and contests. In all of the activities in Classes A and B, all of the participants, including patrons, shall be fully clothed at all times.

**Class C—** All activities allowed in Classes A and B, plus performance by male or female performers without limitation as to number, where clothing is minimal but in compliance with Chapters 409.09 and 410.05 of the Legislative Code.

(Code 1956, § 311.02; Ord. No. 17434, § 2, 2-3-87; Ord. No. 17633, § 2, 3-7-89; Ord. No. 17901, § 5, 1-14-92; C.F. No. 92-1799, § 1, 12-22-92; C.F. No. 94-1660, § 2, 12-28-94; C.F. No. 02-1167, § 1, 1-15-03)

**Sec. 411.03. - Fee.**

The annual license fees for Class A, B and C entertainment licenses shall be established by ordinance as specified in section 310.09(b).

(Code 1956, § 311.02; Ord. No. 17434, § 2, 2-3-87; Ord. No. 17633, § 2, 3-7-89; Ord. No. 17901, § 6, 1-14-92; C.F. No. 92-1799, § 1, 12-22-92; C.F. No. 94-1660, § 3, 12-28-94)

**Sec. 411.04. - Licensing requirements.**

- (a) **Application.** Any person desiring a license to provide entertainment shall make his application in writing upon a form to be provided by the inspector with whom the application shall be filed. The inspector shall require that the following information be set forth upon the application:
- (1) The name and place of residence of the applicant.
  - (2) The exact location of the premises upon which the applicant proposes to provide entertainment.
  - (3) Whether the applicant has ever been engaged in a similar business and, if so, the location thereof and the date when so engaged.
  - (4) A description of the type or types of entertainment to be provided and the frequency thereof.
- In case the applicant proposes to afford the public the privilege of dancing, the applicant shall set forth the amount of floor space available and which the applicant proposes to maintain for dancing purposes.

The application shall be signed by the applicant in person and, if the applicant is a corporation, by an officer of the corporation who shall agree to comply with all the ordinances of the city relating to the business of providing entertainment. He shall file with his application the license fee, together with the consent of property owners or tenants as hereinafter provided.

**(b) Notification requirements; consent of neighboring property:**

- (1) **Notice of hearing:** At least thirty (30) days before a public hearing on an application for a license, the department of safety and inspections shall notify by mail all owners and occupants who own property or reside within three hundred fifty (350) feet of the main entrance of the establishment to be licensed and all community organizations that have previously registered with such department of the time, place and purpose of such hearing, such three hundred fifty (350) feet calculated and computed as the distance measured in a straight line from the nearest point of the building where intoxicating liquor is sold, consumed or kept for sale to the nearest point of the property line owned, leased or under the control of the resident. Prior to the hearing date, the department of safety and inspections shall submit to the city council a list of the names and addresses of each person or organization to whom notice was sent, and certification of such list by the clerk shall be conclusive evidence of such notice.

- (2) **Consent of owners and occupants within three hundred [fifty] feet:** The applicant shall present with his or her application for a Class B or Class C license a statement in writing with the signatures of as many of the owners and occupants of private residences, dwellings and apartment houses located within three hundred fifty (350) feet of such premises as he or she can obtain to the effect that they have no objection to the granting of the class of entertainment license sought or the operation of the business of conducting entertainment of the class of license sought at the location proposed.

If the applicant obtains the signatures of ninety (90) percent or more of such persons, the council may grant the license. If the applicant obtains the signatures of sixty (60) percent to ninety (90) percent of such persons, the council may grant the license upon finding that issuance of the license would not interfere with the reasonable use and enjoyment of neighboring property and residences and would not bear adversely on the health, safety, morals and general welfare of the community. Such findings shall be based on the following considerations if the license were to be granted:

- a. The effect on the surrounding community and institutions;
- b. Noise and likelihood of adverse effect on residential occupants;
- c. The possibility of increased traffic;
- d. The character of the neighborhood;
- e. Other like uses in the neighborhood.

If the applicant fails to obtain the signatures of sixty (60) percent of such persons, the license shall not in any case be granted, unless, in the case of Class B licenses only, the license applicant can illustrate to the city council that a good faith effort was made to fulfill all petition requirements, and that the results of such attempts showed a generally favorable disposition from the surrounding community toward the proposed licensed activity, and that the district council representing the area supports the request for the license by the applicant.

- (3) **Compliance with notice and consent requirements:** An entertainment license for whatever particular class of license has been sought only becomes effective upon compliance with this



paragraph (b) and consent of the council by resolution. The failure to give mailed notice to owners or occupants residing within three hundred fifty (350) feet or defects in the notice shall not invalidate the license, provided a bona fide attempt to comply with this paragraph (b) has been made. A bona fide attempt is evidenced by a notice addressed to "owner" and to "occupant" of the listed address. Only one (1) notice need be mailed to each house or each rental unit within a multiple-family dwelling regardless of the number of occupants.

- (4) *Application of subdivision; exceptions:* The requirements set out in this paragraph (b) shall apply only where the application is for an entertainment license in which it is proposed that liquor will be sold and instrumental music with dancing for the guests therein, or singing or vaudeville entertainment is to be provided. The notification and consent requirements of this paragraph (b) shall not be applicable when the premises whereon the entertainment is proposed is zoned as I-1, I-2 or I-3 Industrial District or where the license is to be held in a place located in the downtown business district. For purposes of this paragraph (b), downtown business district shall include all that portion of the City of Saint Paul lying within and bounded by the following streets: Beginning at the intersection of Shepard Road with Chestnut Street, Chestnut Street to Pleasant Avenue, Pleasant Avenue to Kellogg Street, Kellogg Street to Summit Avenue, Summit Avenue to Tenth Street, Tenth Street to Interstate Freeway 94, Interstate Freeway 94 to Lafayette Bridge, Lafayette Bridge to where the bridge crosses over Warner Road, Warner Road to Shepard Road, Shepard Road to Chestnut Street.
- (5) *Exemption from consent requirements for limited entertainment licenses.* The consent requirements of this paragraph (b) shall not apply if the person, firm or corporation holding liquor licenses for the premises for which the entertainment is sought (i) has, as a regular and usual part of its business for at least three (3) years immediately prior to the effective date of this ordinance (C.F. No. 92-1799), rented all or part of the licensed premises for wedding, anniversary or retirement dinners or receptions or similar family or social functions and has held itself out to the public during that period of time as being available for such purposes; (ii) applies for a limited Class A or B license valid for the sole purpose of allowing entertainment to be provided by another on that part of the licensed premises which is rented or used, with or without consideration, for a wedding, anniversary or retirement dinner or reception, or similar family or social function; and (iii) makes application for such limited license within one (1) year of the effective date of this ordinance (C.F. No. 92-1799), or before December 31, 1993, whichever date comes later. Notwithstanding the foregoing, this exemption from the aforesaid consent requirements shall not apply in any case to a Class C license.
- (6) *Conditions of limited licenses.* The limitation on an entertainment license issued pursuant to paragraph (5) above shall be an express term and condition of the license, and failure to comply with such limitation shall be grounds for adverse action against all licenses held by the licensee or applicant. If the holder of such limited license shall provide, furnish or contract for any entertainment of any kind on the licensed premises, such action shall be grounds for adverse action against all licenses held by such licensee. The council may by resolution further condition such limited licenses and the imposition of such conditions shall not be deemed to be an adverse action; provided, however, that the imposition of any condition which directly limits, or whose only purpose is to limit, free expression or the expressive content of the entertainment shall be deemed to be an adverse action and governed by the procedural requirements of sections 310.05 and 310.06 of the Legislative Code. Violation of such conditions shall be grounds for the revocation, suspension or further limitation of the limited entertainment license and any other licenses held by the licensee. Such revocation, suspension or further limitation shall not be deemed to be an adverse action; provided, however, that if the violation which is all or part of the grounds of such action involves free expression or the expressive content of the entertainment, such action shall be deemed to be an adverse action and subject to the procedural requirements of sections 310.05 and 310.06 of the Legislative Code.
- (7) *Responsibility of licensee under limited licenses.* Each holder of a limited license hereunder shall be responsible for full compliance by all renters and users of the licensed and contiguous premises with all requirements of law. The provisions of section 409.08(7) of the Legislative Code shall be applicable to and govern holders of limited licenses hereunder.
- (c) *Investigation.* Whenever an application for an entertainment license is filed, the inspector shall refer said application immediately to the director of the department of safety and inspections and the director of the department of police who shall proceed to inspect and examine the premises described in the application and report to the inspector whether the applicant is a proper person to receive such a license and whether the premises are suitable for entertainment.
- Upon receipt of the reports, the inspector shall transmit the reports together with his recommendation and any recommendation that the above officials shall make with respect to the applicant or the premises to the council for its consideration. It is hereby made the duty of the inspector, in any case where consent of nearby residents is required under this chapter, to inquire whether such consent was given in good faith.
- (d) *Floor space.* No live entertainment license shall be given where the floor space available for and which is to be maintained for dancing in which the public participates does not exceed four hundred (400) square feet.

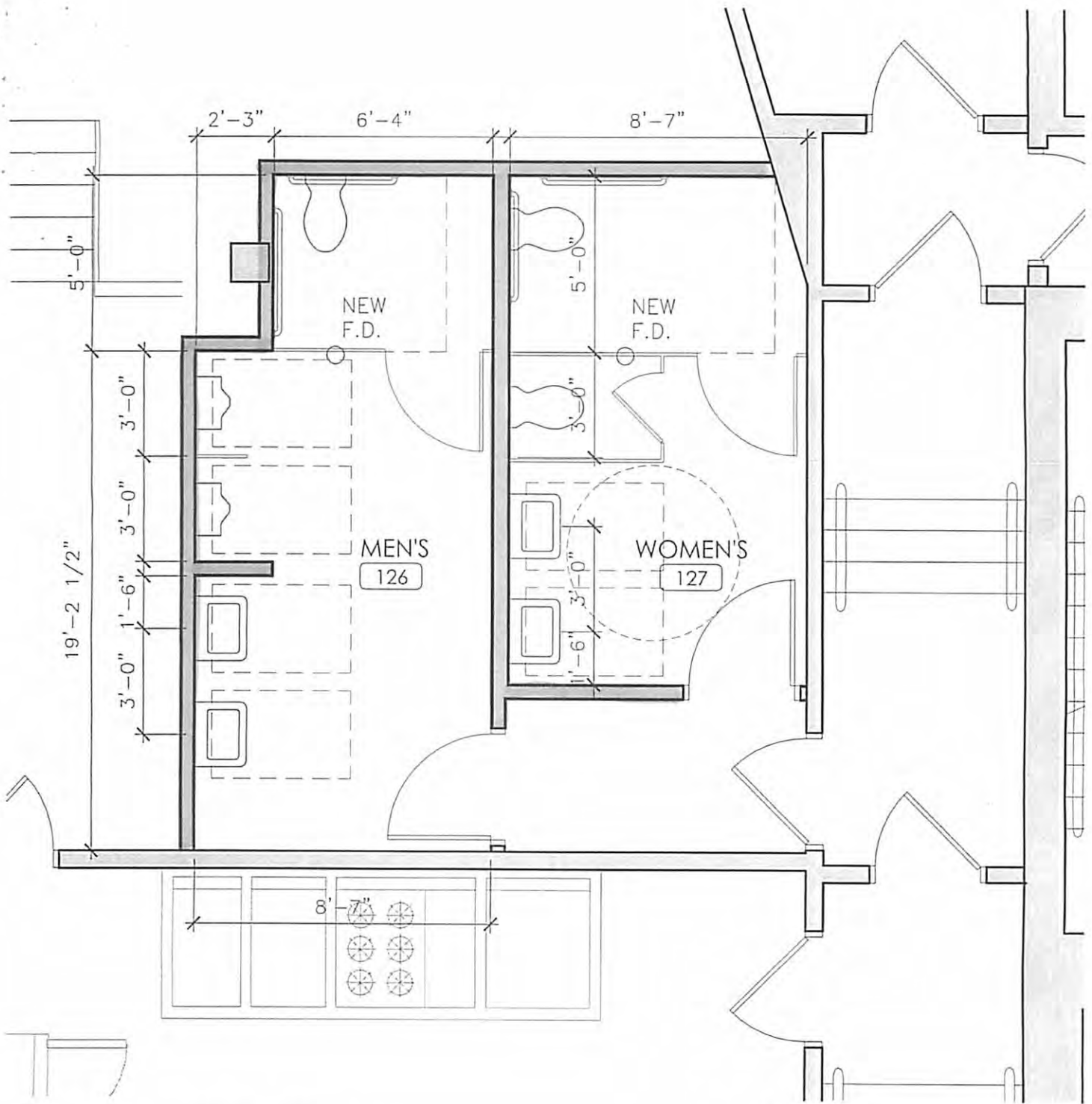
- (e) *Interim standards for off-street parking.* In any case in which the applicant is seeking a Class B or Class C license, the applicant shall provide additional off-street parking for the licensed premises as follows: Fifty (50) percent of the shortfall in parking spaces between one (1) space for each seventy-five (75) square feet of gross floor area, and the number of parking spaces already provided by the licensee. "Gross floor area" shall mean the sum of the horizontal areas of each floor of a building as specified in section 60.206 of the Zoning Code. This requirement shall not apply to licensed premises which are located in the downtown business district as defined in section 409.11 of the Legislative Code. The license application must include a fully dimensioned floor plan and site plan drawn to scale. Modifications may be granted as specified in section 409.08(11)e.
- (f) *Limitations based on type of liquor license.* Only establishments holding on sale intoxicating liquor licenses are eligible for class B and class C entertainment licenses. A holder of a wine and/or intoxicating malt liquor licenses may only obtain a class A entertainment license. Any licensee with a wine and/or intoxicating malt liquor license that holds an entertainment B or C license on the date this paragraph is effective may continue to hold that license unless or until the license is revoked or expires.

(Code 1956, §§ 311.04, 311.06, 311.08; Ord. No. 17082, 10-27-83; Ord. No. 17434, § 3, 2-3-87; Ord. No. 17901, §§ 7, 8, 1-14-92; C.F. No. 92-1799, § 1, 12-22-92; C.F. No. 94-1660, § 4, 12-28-94; C.F. No. 96-418, § 1, 5-22-96; C.F. No. 04-189, § 1, 3-3-04; C.F. No. 07-149, § 165, 3-28-07; C.F. No. 07-566, § 1, 7-25-07; Ord. No. 07-566, § 1, 7-25-07)

#### Sec. 411.05. - One-day license.

Any person may apply for a temporary Class A or Class B entertainment license valid for a twenty-four hour period. Such application shall be made in the manner prescribed in this chapter and shall be subject to the same requirements regarding inspection and floor space as provided elsewhere in this chapter. The fee for such license shall be as set forth in Saint Paul Legislative Code section 310.18. No location shall be granted more than three (3) such licenses per calendar year. Such licenses shall not require the consent of owners and occupants of adjacent properties.

(Code 1956, § 311.10; Ord. No. 17901, § 10, 1-14-92; C.F. No. 92-1799, § 1, 12-22-92; C.F. No. 94-1660, § 5, 12-28-94; C.F. No. 99-1228, § 1, 1-26-00)



SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



**1**  
RA1 ENLARGED TOILET PLAN

1/4"

SHEET NO.

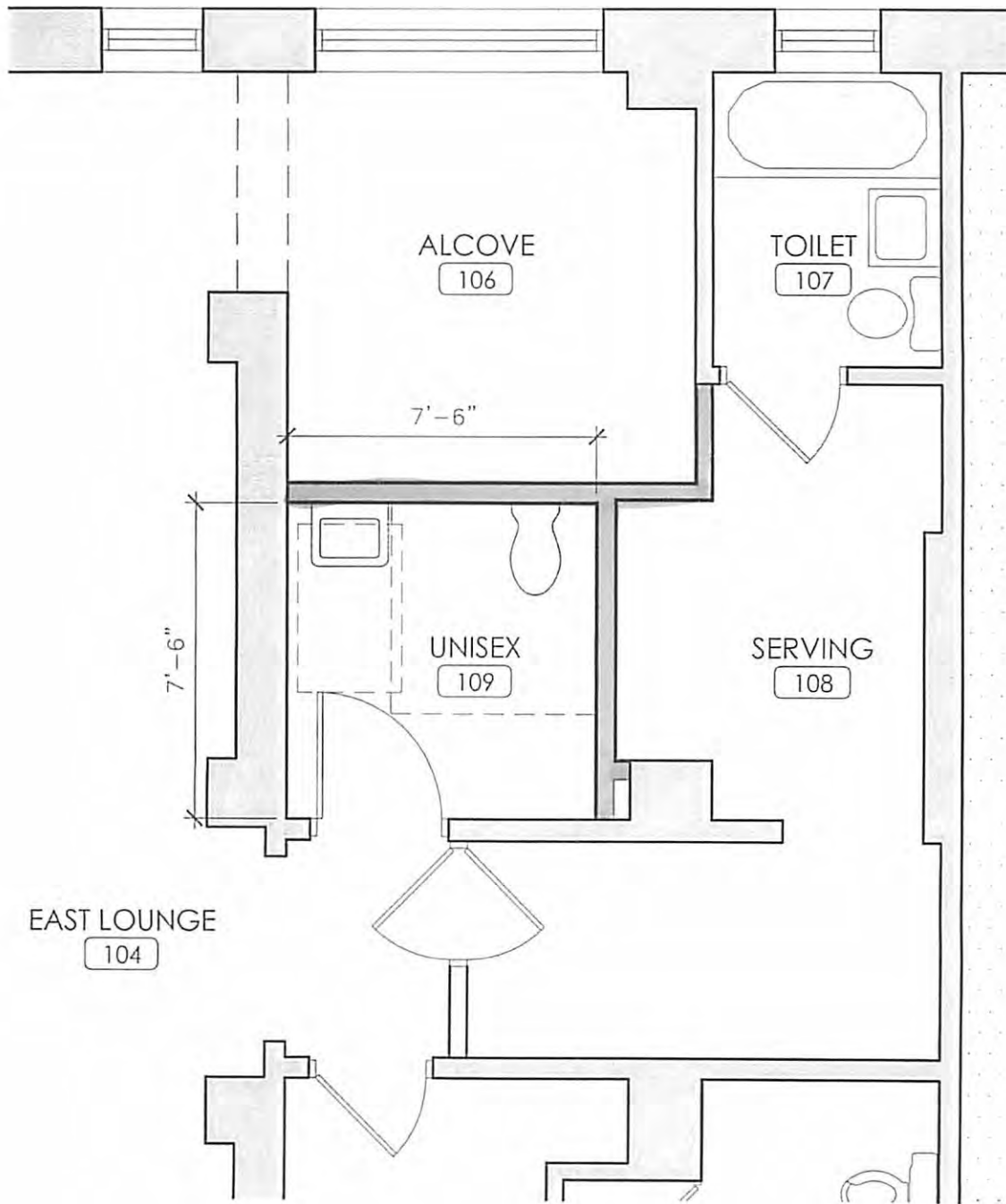
RA1

RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVE N

Enlarged Toilet Room Plan

**MCL**  
MCGUIRE COURTEAU LUCKE ARCHITECTS, INC.  
6 West 5th St., Suite 400 St. Paul, MN 55102 (651) 222-8451

DATE  
7 MAY 2011  
DRAWN  
B.L.F.  
CHECKED  
P.F.M.  
JOB NO.



SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



1  
RA2 ENLARGED TOILET PLAN

1/4"

SHEET NO.

RA2

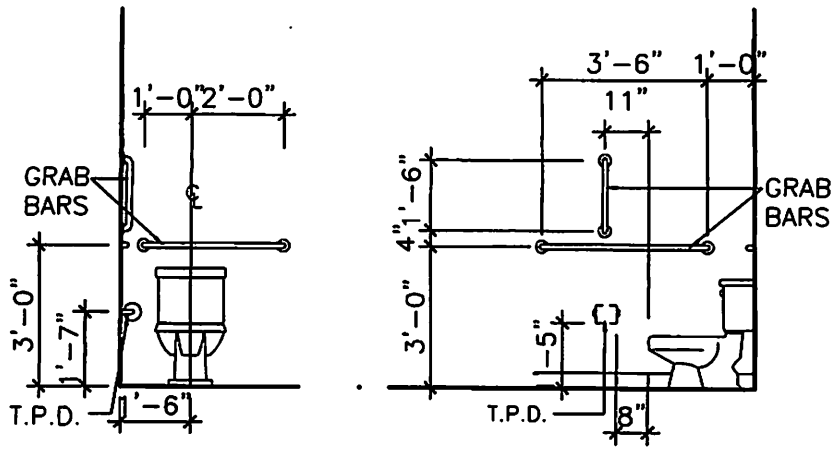
RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVE N

Enlarged Toilet Room Plan

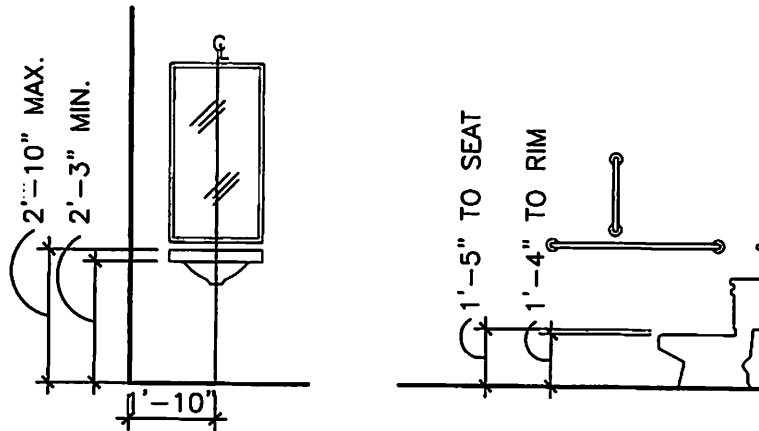
**MCL**  
MCGUIRE COURTEAU LUCKE ARCHITECTS, INC.  
8 West 5th St., Suite 400, St. Paul, MN 55102 (651) 222-8451

DATE  
7 MAY 2011  
DRAWN  
B.L.F.  
CHECKED  
P.F.M.  
JOB NO.

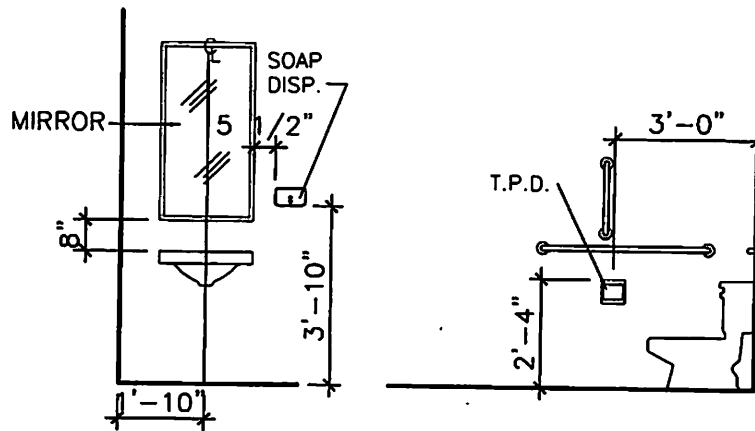




TYP. GRAB BAR MOUNTING HEIGHTS



TYP. FIXTURE MOUNTING HEIGHTS



TOILET RM ACCESSORY MOUNTING HEIGHTS

1  
RA3 TYP. TOILET RM MOUNT'G DTL'S. 1/4"

SHEET NO.

RA3

RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVE N

Toilet Room Details

**MCCL**  
McGUIRE COURTEAU LUCKE ARCHITECTS, INC.  
6 WOODS WAY ST., Suite 402, St. Paul, MN 55102 (651) 222-6431

DATE  
7 MAY 2011  
DRAWN  
S.L.F.  
CHECKED  
P.F.M.  
JOB NO.

**OCCUPANT CLASSIFICATION**  
(IBC Section 302)  
A-2 Restaurant  
S-2 Low Hazard Storage

**OCCUPANT LOAD**  
(IBC Table 1004.1.1)

A-2 Restaurant			
Area	Factor	Occupant Load	
North Lounge	851	15	57
North Bar	110	300	1
East Lounge	1187	15	79
Service	131	300	1
Lounge Bar	991	15	39
Lounge Bar	133	200	1
Dining	1328	15	89
Platform	179	15	12
Service	99	300	1
Kitchen	531	200	3
Existing Subtotal	5,142		283
Future West Dining			
2267	15		172
South Terrace	283	15	19
North Terrace	351	15	23
Total Existing + Future	8,363		497

S-2 Storage			
Area	Factor	Occupant Load	
Storage	41	300	1
Storage	95	300	1
Pantry	77	300	1
Storage	1107	300	4
Storage	99	300	1
Total	1,421		8

**PLUMBING FIXTURES**  
(IBC Table 2902.1)

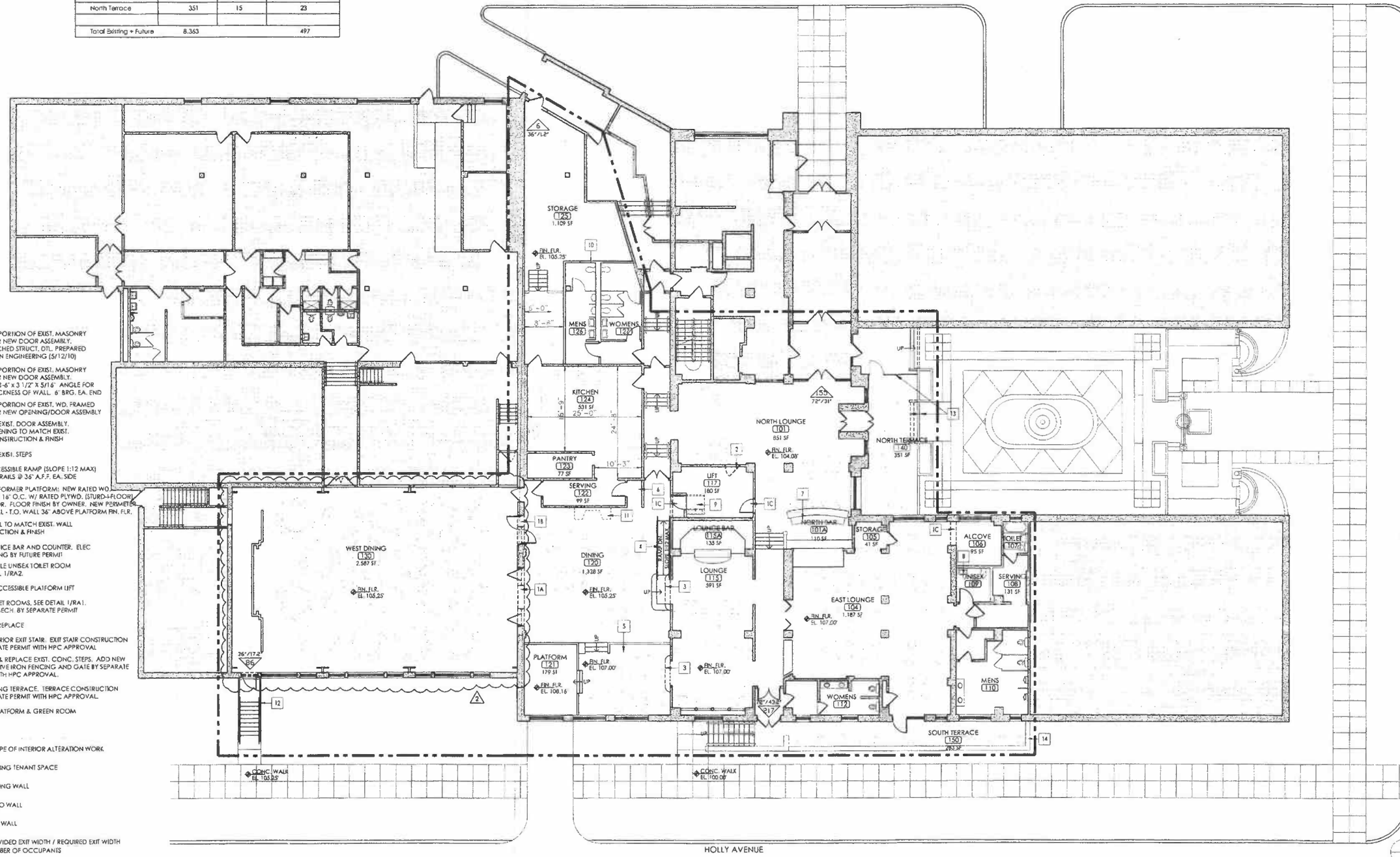
A-2 Restaurant				
Men @ 50% occ =	WC - Men	WC - Women	Lav - Men	Lav - Women
249	(1 per 75)	(1 per 75)	(1 per 200)	(1 per 200)
Women @ 50% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage				
Men @ 50% occ =	WC - Men	WC - Women	Lav - Men	Lav - Women
4	(1 per 100)	(1 per 100)	(1 per 100)	(1 per 100)
Women @ 50% occ = 4	0.1	0.1	0.1	0.1
Total Required				
	3.4 = 4	3.4 = 4	1.3 = 2	1.3 = 2
Total Provided				
	7	5	4	5

**KEY NOTES:**

- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DETL. PREPARED BY LARSON ENGINEERING (5/12/10)
- 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1'-6" x 3-1/2" x 5/16" ANGLE FOR EA. -# THICKNESS OF WALL. 6" BRG. EA. END
- 1C REMOVE PORTION OF EXIST. WD. FRAMED WALL FOR NEW OPENING/DOOR ASSEMBLY
- 2 REMOVE EXIST. DOOR ASSEMBLY. INSTALL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 3 REMOVE EXIST. STEPS
- 4 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" AL.F.S. EA. SIDE
- 5 RESTORE FORMER PLATFORM. NEW RATED WD. JOISTS @ 18" O.C. W/ RATED PLYWD. (STURD-FLOOR) SUB-FLOOR. FLOOR FINISH BY OWNER. NEW PERIMETER KNEE WALL - T.O. WALL 36" ABOVE PLATFORM FIN. FLR.
- 6 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 7 NEW SERVICE BAR AND COUNTER. ELEC & PLUMBING BY FUTURE PERMIT
- 8 ACCESSIBLE UNSEA TOILET ROOM. SEE DETAIL 119A.Z
- 9 FUTURE ACCESSIBLE PLATFORM LIFT
- 10 NEW TOILET ROOMS. SEE DETAIL 119A.1. ELEC. & MECH. BY SEPARATE PERMIT
- 11 FUTURE FIREPLACE
- 12 NEW EXTERIOR EXIT STAIR. EXIST STAIR CONSTRUCTION BY SEPARATE PERMIT WITH HPC APPROVAL
- 13 REMOVE & REPLACE EXIST. CONC. STEPS. ADD NEW DECORATIVE IRON FENCING AND GATE BY SEPARATE PERMIT WITH HPC APPROVAL
- 14 NEW DINING TERRACE. TERRACE CONSTRUCTION BY SEPARATE PERMIT WITH HPC APPROVAL
- 15 FUTURE PLATFORM & GREEN ROOM

**SYMBOL KEY:**

- SCOPE OF INTERIOR ALTERATION WORK
- EXISTING TENANT SPACE
- EXISTING WALL
- DEMO WALL
- NEW WALL
- PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH
- NUMBER OF OCCUPANTS



1ST FLOOR PLAN

WESTERN AVENUE

HOLLY AVENUE

REVIEWED: 3/7/2012  
DATE: 3/7/2012  
BY: [Signature]  
CHECKED: P.F.A.  
JOB NO.: 7480310

They certify that this plan was prepared by a duly Licensed Architect/Engineer under the laws of the State of Minnesota.  
[Signature]  
DATE: 03/07/2012  
Reg. No. 7853

MECHANICAL CONSULTANTS  
[Signature]  
ELECTRICAL CONSULTANTS  
[Signature]

CIVIL CONSULTANTS  
[Signature]  
STRUCTURAL CONSULTANTS  
[Signature]

Commodore Properties, Inc.  
4 West 5th Street, Suite 600  
St. Paul, MN 55102  
651.224.5845

RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
79 WESTERN AVENUE  
ST. PAUL, MINNESOTA

SHEET NO. **A1**

DATE: 03/07/2012

**EXHIBIT**  
tabbler  
R-9

OCCUPANT CLASSIFICATION  
(IBC Section 302)  
A-2 Restaurant  
S-2 Low Hazard Storage

OCCUPANT LOAD  
(IBC Table 1004.1.1)

A-2 Restaurant			
Area	Factor	Occupant Load	
North Lounge	851	15	57
North Bar	110	200	1
East Lounge	1187	15	79
Service	131	300	1
Lounge	591	15	39
Lounge Bar	135	200	1
Dining	1328	15	89
Platform	179	15	12
Service	99	300	1
Kitchen	531	200	3
Existing Subtotal	5,142		283
Future West Dining	2587	15	172
South Terrace	283	15	19
North Terrace	351	15	23
Total Existing + Future	8,363		497

S-2 Storage			
Area	Factor	Occupant Load	
Storage	41	300	1
Storage	95	300	1
Pantry	77	300	1
Storage	1109	300	4
Storage	99	300	1
Total	1,421		8

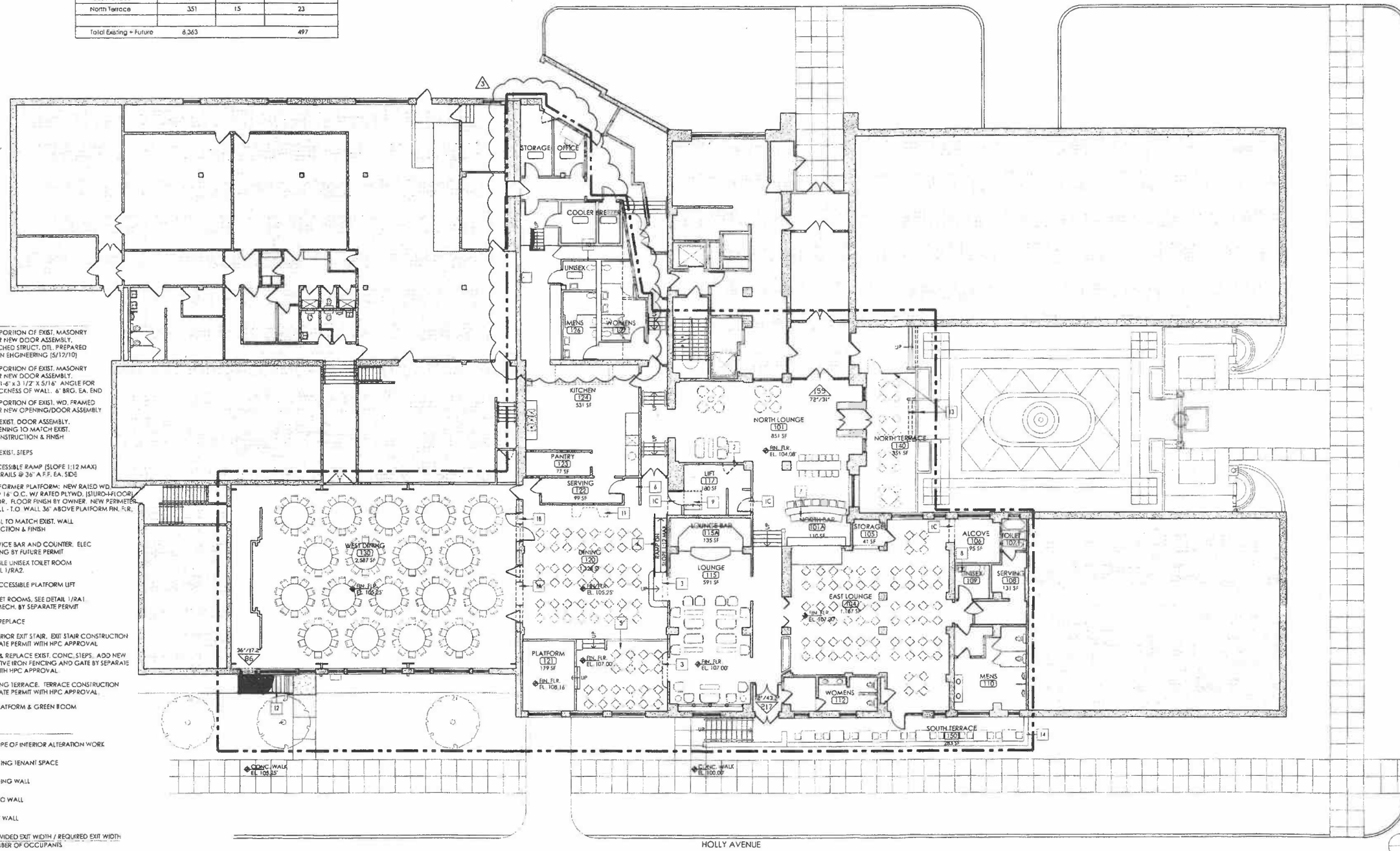
PLUMBING FIXTURES (IBC Table 2902.1)				
A-2 Restaurant				
Men @ 50% occ = 249	WC - Men (1 per 75)	WC - Women (1 per 75)	Lav - Men (1 per 200)	Lav - Women (1 per 200)
Women @ 50% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage				
Men @ 50% occ = 4	WC - Men (1 per 100)	WC - Women (1 per 100)	Lav - Men (1 per 100)	Lav - Women (1 per 100)
Women @ 50% occ = 4	0.1	0.1	0.1	0.1
Total Required	3.4 = 4	3.4 = 4	1.3 = 2	1.3 = 2
Total Provided	7	8	5	6

KEY NOTES:

- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DET. PREPARED BY LARSON ENGINEERING (5/17/10)
- 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1" x 3 1/2" x 5/8" ANGLE FOR EA. 4" THICKNESS OF WALL. 6" BRG. EA. END
- 1C REMOVE PORTION OF EXIST. WD. FRAMED WALL FOR NEW OPENING/DOOR ASSEMBLY
- 2 REMOVE EXIST. DOOR ASSEMBLY. INSTALL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 3 REMOVE EXIST. STEPS
- 4 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" A.F.F. EA. SIDE
- 5 RESTORE CORNER PLATFORM: NEW RAISED WD. FLOORS @ 18" O.C. W/ RATED PLYWOOD. SUB-FLOOR, FLOOR FINISH BY OWNER. NEW PERIMETER TRIM WALL - T.O. WALL 36" ABOVE PLATFORM FIN. F.R.
- 6 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 7 NEW SERVICE BAR AND COUNTER. ELEC. & PLUMBING BY FUTURE PERMIT
- 8 ACCESSIBLE UNISEX TOILET ROOM. SEE DETAIL 1/RA.2
- 9 FUTURE ACCESSIBLE PLATFORM LIFT
- 10 NEW TOILET ROOMS. SEE DETAIL 1/RA.1. ELEC. & MECH. BY SEPARATE PERMIT
- 11 FUTURE FIREPLACE
- 12 NEW EXTERIOR EXIT STAIR. EXIT STAIR CONSTRUCTION BY SEPARATE PERMIT WITH HPC APPROVAL
- 13 REMOVE & REPLACE EXIST. CONC. STEPS. ADD NEW DECORATIVE IRON FENCING AND GATE BY SEPARATE PERMIT WITH HPC APPROVAL
- 14 NEW DINING TERRACE. TERRACE CONSTRUCTION BY SEPARATE PERMIT WITH HPC APPROVAL
- 15 FUTURE PLATFORM & GREEN ROOM

SYMBOL KEY:

- SCOPE OF INTERIOR ALTERATION WORK
- EXISTING TENANT SPACE
- EXISTING WALL
- DEM'D WALL
- NEW WALL
- PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH
- NUMBER OF OCCUPANTS



1 A1 1ST FLOOR PLAN

EX 27

3/32" = 1'-0"

REVISIONS

DATE	DESCRIPTION	BY	CHECKED
01/28/2012			
03/17/2014			
05/19/2014			
09/09/2015			

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Architect/Engineer under the laws of the State of Minnesota.

DATE: 03/24/2020, Reg. No. 9833

MECHANICAL CONSULTANTS  
Mason, Inc.  
10000 1/2 Ave. N.  
St. Paul, MN 55128

ELECTRICAL CONSULTANTS  
Mason, Inc.  
10000 1/2 Ave. N.  
St. Paul, MN 55128

CIVIL CONSULTANTS  
Mason, Inc.  
10000 1/2 Ave. N.  
St. Paul, MN 55128

STRUCTURAL CONSULTANTS  
Mason, Inc.  
10000 1/2 Ave. N.  
St. Paul, MN 55128

Commodore Properties, Inc.  
6 WEST 5TH AVENUE, SUITE 100  
ST. PAUL, MN 55102  
651.224.3845

RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
79 WESTERN AVENUE  
ST. PAUL, MINNESOTA

DATE FILE: FLOOR PLAN

A1

tabbles

**EXHIBIT**

R-10



DEPARTMENT OF SAFETY AND INSPECTIONS  
*Ricardo X. Cervantes, Director*



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

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

October 26, 2015

Good afternoon John,

Thank you very much for meeting with our team Wednesday afternoon. I hope the meeting helped you better understand the situation at the Commodore building regarding the renovation and proposed expansion of the A-2 use on the main level and the remaining open permits. A building permit was obtained in 2012 for some remodeling of the restaurant facility and you raised some questions regarding whether the permit included the expansion of the restaurant into a space to the west of the primary restaurant space. Many questions were brought up in the meeting with answers still outstanding. This letter is to summarize the issues at hand to be addressed before occupancy can be allowed in the A-2 (restaurant) facility of the Commodore building.

The proposed west expansion of the restaurant to the west of the primary A-2 space is not part of the 2012 permit. The 2012 building permit, along with other complimentary trade permits for the primary restaurant, have not been finalized. The blueprints reference work to be completed inside the existing restaurant footprint with rework of two openings (enlargement of existing openings) leading into the space to the west of the primary restaurant area. Additional notes specify future work to be completed under separate permits. The plans do show that the west space addition specifically states "future west dining", meaning the space buildout in the west space expansion is not part of the scope of work. There does not appear to be any notes or specifications indicating the type of construction of the building or the type of materials to be used to apply a finished ceiling in the future space to the west of the primary restaurant space (we did view a photo of a weight room with steel bar joists exposed). Furthermore, any expansion of an A-2 use with this amount of occupants would require additional active and/or passive life-safety systems to be installed such as an alarm system or sprinkler system. Neither is identified on the approved plans to be installed, indicating that DSI had not allowed this added space to be used. No inspections were requested before the ceiling work was covered up – no permit has been obtained to date for this work. Because this was unpermitted work, our field staff did not have an opportunity to exercise our expertise and ask questions and now we are at a point where occupancy is requested by you with outstanding issues.

In addition to the above concerns, other key issues are outstanding that need to be resolved prior to occupancy of the proposed west space expansion and the primary restaurant space. The Fire Certificate of Occupancy for the primary restaurant space has been revoked because of the extended time that the facility has not been in use. A reinspection of the entire facility (primary and proposed west expansion) will be needed prior to the reinstatement of the Fire Certificate of Occupancy of the primary restaurant space. Records indicate that the proposed west expansion space of the primary A-2 use is not, nor has it ever been, part of the allowed A-2 restaurant space. Additionally, records from our office, as well as records provided by Met Council, show no SAC determination for an A-2 use in the proposed west expansion space to the west of the primary restaurant facility.

**You will need to complete the following items in order to be allowed occupancy in the primary restaurant space at 79 Western Ave. N.:**






- 1.) Obtain final permits for all open permits reflective of the A-2 space.
- 2.) The Fire Certificate of Occupancy has been revoked. Coordinate an inspection from our Fire Inspection division to perform a walk-through of the facility to remove the Fire Certificate of Occupancy revocation and pay any outstanding fees associated with a Fire Certificate of Occupancy.

**You will need to complete the following items in order to be allowed occupancy in the proposed west expansion space addition at 79 Western Ave. N.:**

- 1.) Provide a design and apply for a permit to remodel the proposed west expansion space.
- 2.) Provide a design and apply for a permit to install an alarm system per the current 2015 building code in an A-2 occupancy.
- 3.) Provide a design and apply for a permit to install a sprinkler system per the current 2015 building code in an A-2 occupancy.
- 4.) Obtain a SAC determination of the proposed west space expansion for a restaurant. Paid all required fees.
- 5.) Provide accessibility to the proposed west expansion space.
- 6.) Provide evidence that establishes all the prior uses of the restaurant expansion space. Secure any necessary zoning approvals.
- 7.) A balance report of the A-2 occupancy space from a licensed contractor or a design professional.

We understand that this facility is in need of approval in very short order. Our staff is available for inspections should you or your contractors request our services. Please feel free to contact me for any clarification or to answer any questions that you may have.

Sincerely,



**Stephen Ubl**  
*City of St. Paul Building*  
*Official*  
Department of Safety & Inspections  
375 Jackson St  
Saint Paul, MN 55101  
P: 651-266-9021  
F: 651-266-9099  
[stephen.ubl@ci.stpaul.mn.us](mailto:stephen.ubl@ci.stpaul.mn.us)

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OCCUPANT CLASSIFICATION  
(IBC Section 302)  
A-2 Restaurant  
S-2 Low Hazard Storage

OCCUPANT LOAD  
(IBC Table 104.1.1)

A-2 Restaurant			
Area	Factor	Occupant Load	
North Lounge	551	15	57
North Bar	110	200	1
East Lounge	1187	15	79
Service	131	300	1
Lounge	59	15	39
Lounge Bar	135	200	1
Dining	1328	15	89
Platform	179	15	12
Service	99	300	1
Kitchen	53	200	3
Existing Subtotal	5,142		253
West Dining	2387	15	172
Total	7,729		455

S-2 Storage			
Area	Factor	Occupant Load	
Storage	<1	300	1
Storage	55	300	1
Storage	77	300	1
Storage	1109	300	4
Storage	59	300	1
Total	1,421		8

PLUMBING FIXTURES  
(IBC Table 202.1)

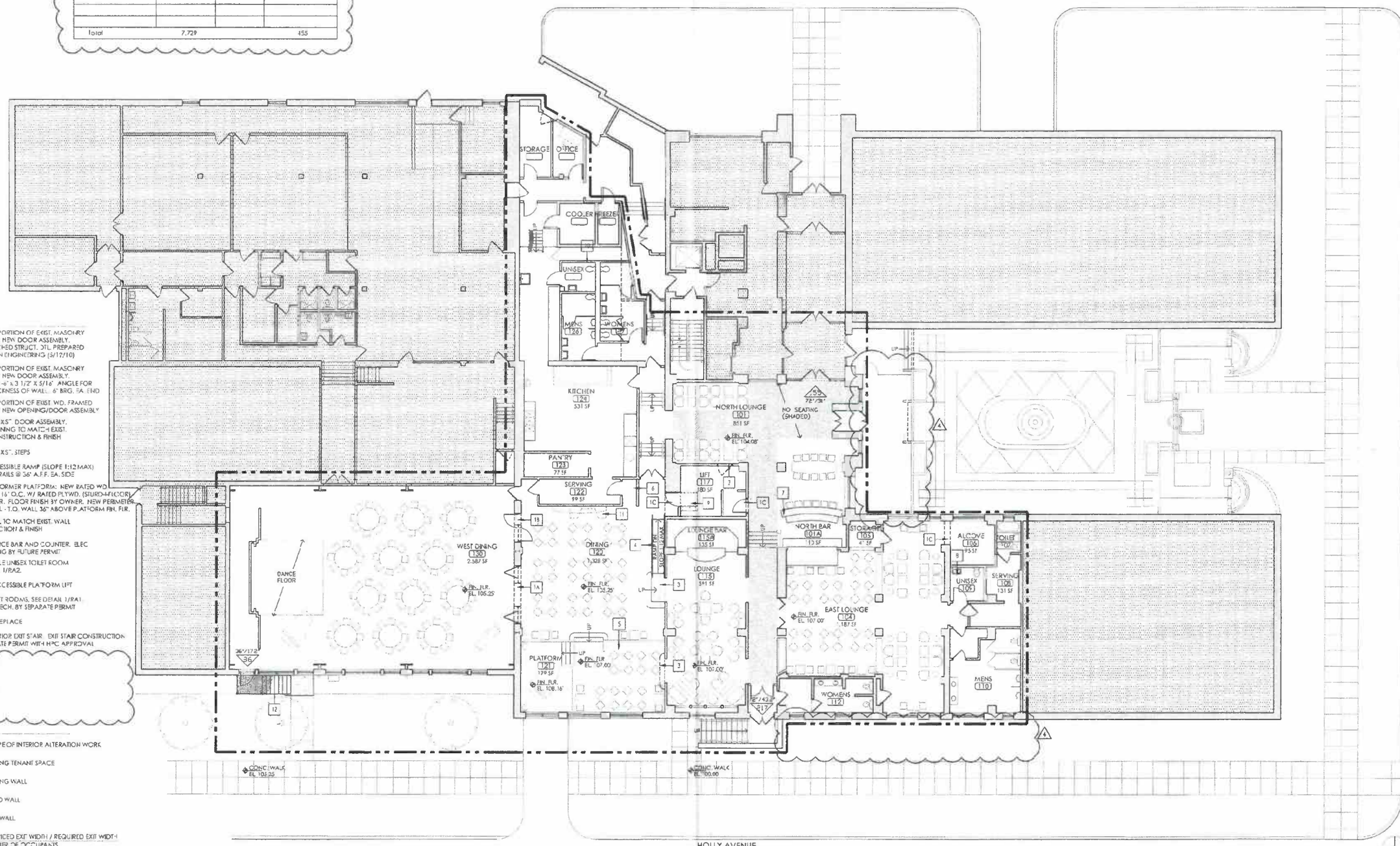
A-2 Restaurant				
Men @ 50% occ = 249	WC - Men (1 per 75)	WC - Women (1 per 75)	Lav - Men (1 per 200)	Lav - Women (1 per 200)
Women @ 50% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage				
Men @ 50% occ = 4	WC - Men (1 per 100)	WC - Women (1 per 100)	Lav - Men (1 per 100)	Lav - Women (1 per 100)
Women @ 50% occ = 4	0.1	0.1	0.1	0.1
Total Required	3.4 = 4	3.4 = 4	1.3 = 2	1.3 = 2
Total Provided	7	8	5	6

KEY NOTES:

- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DETL. PREPARED BY LARSON ENGINEERING (5/12/10)
- 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1-1/2" x 1/2" x 5/16" ANGLE FOR EA. 4" THICKNESS OF WALL. 6" BRG. 5A. END
- 1C REMOVE PORTION OF EXIST. WD. FRAMED WALL FOR NEW OPENING/DOOR ASSEMBLY
- 2 REMOVE EXIST. DOOR ASSEMBLY. INFILL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 3 REMOVE EXIST. STEPS
- 4 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" A.F.F. EA. SIDE
- 5 RESTORE FORMER PLATFORM. NEW BATED W/ JOISTS @ 15" O.C. W/ RATED PLYWOOD (SUB-FLOOR). SUB-FLOOR. FLOOR FINISH BY OWNER. NEW PERIMETER KNEE WALL - T.O. WALL 36" ABOVE PLATFORM FIN. FLR.
- 6 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 7 NEW SERVICE BAR AND COUNTER. ELEC. & PLUMBING BY FUTURE PERMIT
- 8 ACCESSIBLE UNisex TOILET ROOM. SEE DETAIL 11/PA2.
- 9 FUTURE ACCESSIBLE PLATFORM LIFT
- 10 NEW TOILET ROOMS. SEE DETAIL 11/PA1. ELEC. & MISC. BY SEPARATE PERMIT
- 11 FUTURE FIREPLACE
- 12 NEW EXTERIOR EXIT STAIR. ENR STAIR CONSTRUCTION. BY SEPARATE PERMIT WITH HPC APPROVAL
- 13 NOT USED
- 14 NOT USED
- 15 NOT USED

SYMBOLS:

- SCOPE OF INTERIOR ALTERATION WORK
- EXISTING TENANT SPACE
- EXISTING WALL
- DEMO WALL
- NEW WALL
- >42" symbol"/> PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH
- NUMBER OF OCCUPANTS



A1 1ST FLOOR PLAN

REVISIONS:  
DATE: 07/20/17  
BY: [Signature]  
CHECKED: [Signature]  
DATE: 08/17/2017  
JOB NO: 78881010  
REG. NO. 9833

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

MECHANICAL CONSULTANTS:  
Larson Engineering  
10000 15th Ave N  
Plymouth, MN 55441  
(763) 833-1111

ELECTRICAL CONSULTANTS:  
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RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
79 WESTERN AVE N  
ST. PAUL, MINNESOTA

MECHANICAL FLOOR PLAN

A1

tabblers  
**EXHIBIT**  
R-12

3/32" = 1'-0"



**John M. Miller**

---

**From:** John R. Rupp <JRRupp@commonwealthproperties.com>  
**Sent:** Tuesday, March 6, 2018 6:01 PM  
**To:** John M. Miller  
**Subject:** Fwd: Advance Notice of Consent Petition Request for 79 N Western  
**Attachments:** 79 Western 14.docx

---

**From:** Torstenson, Allan (CI-StPaul) <allan.torstenson@ci.stpaul.mn.us>  
**Sent:** Tuesday, March 6, 2018 5:16:23 PM  
**To:** John R. Rupp; Harry Chalmiers  
**Cc:** Dubruiel, Paul (CI-StPaul); Johnson, Tony (CI-StPaul)  
**Subject:** Advance Notice of Consent Petition Request for 79 N Western

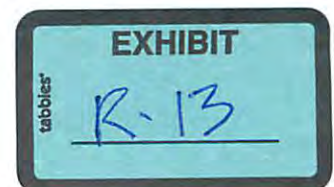
As we discussed when we met on February 16, attached is the advance notice we will send to the owners of property within 100 feet of your property at 79 N Western Avenue that they may be asked to sign a consent petition supporting reestablishment of a nonconforming use in the space west of the restaurant at 79 Western Avenue N as a restaurant. Should we send that out in the next couple of days? Are you ready to begin securing the required number of signatures on the petition?



**Allan Torstenson**  
*Principal City Planner for Zoning*  
Planning & Economic Development  
25 W. 4th Street, Suite 1400  
Saint Paul, MN 55102  
P: 651-266-6579  
allan.torstenson@ci.stpaul.mn.us

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Making Saint Paul the Most Livable City in America





CITY OF SAINT PAUL  
*Melvin Carter, Mayor*

25 West Fourth Street, Ste. 1400  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-266-6549

Atención. Si desea recibir asistencia gratuita para traducir esta información, llame al 651-266-6568  
Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 651-266-6568.  
Ogow. Haddii aad dooneyso in lagaa kaalmeeoyo tarjamadda macluumaadkani oo lacag la' aan wac 651-266-6568.

DATE: March 6, 2018

TO: Owners of Property within 100 feet of Parcel #01-28-23-24-0289 at 79 Western Avenue N.

FROM: Paul Dubruiel, Zoning Section

RE: Advance Notice of Consent Petition Request for Nonconforming Use Permit

Because you own property within 100 feet of parcel #01-28-23-24-0289 at 79 Western Avenue N., you may be asked to sign a consent petition supporting reestablishment of a nonconforming use in the space west of the restaurant at 79 Western Avenue N. as a restaurant. An application for a nonconforming use permit for this requires a consent petition signed by owners of two-thirds of the described parcels of real estate within 100 feet.

The purpose of this letter is to inform you that the applicant or someone representing the applicant (John Rupp) may be contacting you to describe this proposal, answer your questions, and ask you to sign the consent petition. You may sign the consent petition if you support the project, but you do not have to sign it if you do not support the application as it is explained to you.

If enough property owners sign the consent petition, a public hearing will be held at a future meeting of the Zoning Committee of the St. Paul Planning Commission. You will receive a notice of the public hearing in the mail. If you want to comment on the proposal, you may testify in person at the hearing or send written comments to the Zoning Committee in a letter or e-mail before the hearing.

79 Western Avenue N. is located in an area represented by the Summit-University Planning Council identified below, one of seventeen independent Saint Paul citizen participation organizations that provide advisory recommendations to the City about a variety of issues. The District Council may review and comment on this proposal.

Please call me 651- 266-6583 or email me at [paul.dubruiel@ci.stpaul.mn.us](mailto:paul.dubruiel@ci.stpaul.mn.us) if you have any questions.

Summit-University Planning Council  
627 A Selby Avenue  
Saint Paul, Minnesota 55104  
(651) 228-1855  
[jens@summit-university.org](mailto:jens@summit-university.org)

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

-----  
In the Matter of all licenses held by the  
University Club of St. Paul, d/b/a The  
Commodore for the premises Located at 79  
Western Avenue in Saint Paul  
-----

**RESPONDENT'S EXPERT WITNESS  
DISCLOSURES/REPORT  
Christopher Leaver**

Below is Respondent's Expert Witness Disclosure, for the individual listed in the caption, submitted in accordance with ¶ 1 of the Third Prehearing Order, dated July 10, 2017.

1. **The name, business address, and telephone number of the expert witness.**  
Christopher Leaver  
Division Manager  
Fire Protection Engineer  
Summit Fire Consulting  
575 Minnehaha Avenue W  
St. Paul, MN 22013
2. **A complete statement of all opinions the witness will express and the basis and reasons for them.**  
See the attached letter, dated May 5, 2017.
3. **The facts or data considered by the witness in forming them.**  
See the attached letter, dated May 5, 2017; and, attached plans.
4. **Any exhibits that will be used to summarize or support them.**  
None at the present time.
5. **The witness's qualifications, including a list of all publications authored in the previous 10 years.**  
See attached curriculum vitae.





6. **A list of all other cases in which, during the previous four years, the witness testified as an expert at trial or by deposition.**

2017 - JL Schwieters Construction, et al. vs. Chicago Flameproof & Wood Specialties. This witness was not an "expert witness", but was subpoenaed and deposed as part of involvement as a consultant.

7. **A statement of the compensation to be paid for the study and testimony in the case.**

The current fees for the analysis and preparation of the May 5, 2017 letter were \$5,530. Compensation for review/preparation, deposition, travel, consultation, trial appearance, etc. will be charged on hourly basis plus applicable direct expenses in addition to the charges noted. Time will be charged at a rate of \$300 per hour with expenses charged at cost plus 20%. Travel will be billed on a portal-to-portal basis.

**PFB LAW, PROFESSIONAL ASSOCIATION**

Dated: July 31, 2017

By: /s/ John M. Miller  
Atty. Lic. #7326X  
PFB Law, Professional Association  
55 East 5<sup>th</sup> Street, Suite 800  
St. Paul, MN 55101  
(651) 291-8955  
jmiller@pfb-pa.com  
*Attorney for Respondent*

Dated: July 31, 2017

  
\_\_\_\_\_  
Christopher Leaver



May 5, 2017

Mr. John R. Rupp  
Commonwealth Properties  
6 West 5<sup>th</sup> Street, Suite 900  
St. Paul, MN 55102

RE: THE COMMODORE - CODE CONSULTING SERVICES

THE COMMODORE BAR & RESTAURANT  
79 WESTERN AVE. N  
ST. PAUL, MN 55102

Dear John,

This letter is intended to summarize the applicable fire protection and fire alarm requirements for a remodel project in the West Dining Room at the Commodore Bar and Restaurant located at 79 Western Ave. N. The applicable building code includes both the 2015 Minnesota State Building Code (MSBC)<sup>1</sup> and Minnesota State Existing Building Code (MSEBC)<sup>2</sup>. The Authority Having Jurisdiction (AHJ) includes the City of St. Paul.

#### PROJECT BACKGROUND

The Commodore is an existing building which includes residential apartments (Group R-2), restaurant & bar (Group A-2), and banquet space (Group A-2). Several remodel projects have occurred within the building. It should be noted this letter pertains only to the remodel work in the West Dining Room (i.e. banquet, dining area). It is the understanding of Summit Fire Consulting that previous permitted uses of the space included restaurant/dining (i.e. Group A-2).

The scope of the remodel work in the West Dining Room included new interior finishes (i.e. new ceiling, flooring, wall, etc.). In addition, a wall was added to help segregate a small storage area (i.e. chairs, tables) from the remainder of the dining space. A new exit door was added, allowing occupants to egress directly to the exterior.

#### CODE NAVIGATION

The following are defined by the 2015 MSEBC:

**Alteration Level 1 – Removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose**

<sup>1</sup> The 2015 MSBC includes the 2012 International Building Code (IBC) with Minnesota amendments

<sup>2</sup> The 2015 MSEBC includes the 2012 International Existing Building Code (IEBC) with Minnesota amendments



**Alteration Level 2 – Reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment**

**Work Area – That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.**

The scope of work noted previously is divided into various Levels of Alterations based on the definitions included in the 2015 MSEBC:

- Interior Finishes – 100% of work area: Level 1 Alteration
- New Exit door - <5% of work area: Level 2 Alteration
- New interior partition - <5% of work area: Level 2 Alteration

As noted above, the Level 1 Alteration work encompassed 100% of the work area and the Level 2 Alteration comprised less than 10% of the work area.

Because the Level 2 Alteration requirements are more restrictive than the Level 1 Alteration requirements, the intent is to meet the requirements for Level 2 within the work area. The following are requirements for fire protection and fire alarm based on Section 804 of the 2015 MSEBC:

#### Fire Protection

##### **804.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-4, S-1 and S-2**

**In buildings with occupancies in Groups A,B,E,F-1,H,I,M,R-1,R-4,S-1 and S-2, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:**

1. **The work area is required to be provided with automatic sprinkler protection in accordance with the IBC as applicable under new construction; and**
2. **The work area exceeds 50 percent of the floor area.**

Both conditions 1 and 2 need to be met to require fire protection within the space. Item #1 requires sprinkler protection based on the requirements of Section 903.2.1.2 of the MSBC; however, Item #2 is not met since the Level 2 alteration work does not encompass more than 50 percent of the work area. It should be noted that when a sprinkler system is required by Section 804, the following exception is included in the 2015 MSEBC:

**If the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces other than sleeping or dwelling units or individual dwelling units that activates the occupant notification system in accordance with Section 907.4, 907.5 and 907.6 of the International Building Code.**

Additionally, the following is required for the Level 1 Alteration work based on Section 703 (i.e. 100% of work area):



**703.1 General**

*Alterations shall be done in a manner that maintains the level of fire protection provided.*

The existing area of work does not include a fire sprinkler system.

Based on the requirements noted above a fire sprinkler system is not required within the West Dining area since the area does not meet the occupancy classification mentioned within MSEBC Sections 804 and 703.

**Fire Alarm**

**804.4 Fire Alarm and Detection**

*An approved fire alarm system shall be installed in accordance with Sections 804.4.1 through 804.4.3. Where automatic sprinkler protection is provided in accordance with Section 804.2 and is connected to the building fire alarm system, automatic heat detection shall not be required.*

The code states that a building where a Level 2 Alteration takes place, and any of the criteria stated in MSEBC Sections 804.4.1 through 804.4.3 are met, that a fire alarm system is required.

Section 804.4.1 specifies code compliance based on occupancy classification. Group A-2 occupancies are not specified within the Section 804.4.1 list of occupancies which require fire alarm systems.

Section 804.4.3 specifies code compliance based on sleeping units within Group R and I-1 occupancies. Group A-2 occupancy does not meet fall under either of these occupancy classifications.

Section 804.4.2 specifies code compliance based on work area:

**804.4.2 Supplemental Fire Alarm System Requirements**

*Where the work area on any floor exceeds 50 percent of that floor area, Section 804.4.1 shall apply throughout the floor.*

The Level 2 alteration work does not encompass more than 50 percent of the work area.

Additionally, the following is required for the Level 1 Alteration work based on Section 703 (i.e. 100% of work area):

**703.1 General**

*Alterations shall be done in a manner that maintains the level of fire protection provided.*

It is Summit Fire Consulting's understanding that the existing building is provided with a fire alarm system; however, the area of work was not originally provided with a fire alarm system.

Based on the requirements noted above a fire alarm system is not required within the West Dining area since the area does not meet the occupancy classification mentioned



within MSEBC Sections 804 and 703. It should be noted however; that it is the Owner's intent to provide fire alarm notification appliances within the West Dining Room.

Change of Occupancy

As noted above, it is Summit Fire Consulting's understanding that the overall occupancy classification of the work area is not changed as part of this project (i.e. permitted as Restaurant/Dining). Chapter 10 of the 2015 MSEBC pertains to changes in occupancy. Section 1001.2 states the following:

**1001.2 Change in occupancy with no change in occupancy classification.**  
*A change in occupancy, as defined in Section 202, with no change of occupancy classification shall not be made to any structure that will subject the structure to any special provisions of the applicable International Codes, including the provisions of Sections 1002 through 1011, without the approval of the code official. A certificate of occupancy shall be issued where it has been determined that the requirements for the change in occupancy have been met.*

The fire protection requirements in Section 1004 reference compliance with Section 1012, where a building has undergone a *change of occupancy classification*. Because the overall classification of the work area is remaining unchanged (i.e. Group A-2, assembly), the fire protection requirements do not apply.

**CONCLUSION**

The majority of the work area within the West Dining consisted of Level 1 Alteration work (i.e. 100% of the work area), while the Level 2 Alteration work performed encompassed less than 50% of the work area. Based on code navigation included herein, an automatic sprinkler system and/or fire alarm system is not required within the area of work due to the percentage of Level 2 work performed and the lack of an existing sprinkler/fire alarm system within the area of work.

It should be noted that although a fire alarm system is not required by the 2015 MSBC or 2015 MSEBC, it is the Owner's intention to install a fire alarm system within the Restaurant and West Dining area (along with associated lobby spaces, etc). Further evaluation of the existing system must be done to specify fire alarm system installation requirements. Information regarding the fire alarm system requirements will be provided and compiled by Summit Fire Consulting for review and pricing/bid information. Fire alarm plans will be submitted to the City of St. Paul for final review and approval.

Please contact our office with questions.

Prepared by:

Natalie Buckman  
Fire Protection Consultant  
CET III, CFPS

Review by:

Christopher Leaver  
Division Manager  
Fire Protection Engineer



# **REQUEST FOR PROPOSAL** **FIRE ALARM & DETECTION SYSTEM**

## **SCOPE OF SERVICES**

### **PROJECT DESCRIPTION:**

The property owner of The Commodore Bar & Restaurant located at 79 Western Ave. N. in St. Paul, MN is requesting a proposal for the installation of a new fire alarm & detection system for the protection of spaces on the first level only of the property addressed. The purpose of the installation is to comply with an agreement with the City of St. Paul for additional active fire protection in the occupied space. Please note only areas specified in this Request for Proposal will be included in the area of coverage of the fire alarm & detection system. The fire alarm and detection system installation will be installed to the requirements set forth in the NFPA 72 National Fire Alarm and Signaling Code 2013 Edition, as well as any other applicable local, state, and federal statutes.

### **EXISTING SITE CONDITIONS:**

The Commodore Bar & Restaurant has an existing fire alarm and detection system installed exclusively for kitchen hood monitoring purposes. The existing fire alarm and detection system will be replaced as part of this project.

### **SCOPE OF WORK:**

The Scope of Work for this Request for Proposal includes the fire alarm and detection system design, permit application, installation, pretesting, final testing, final documentation and owner training.

The equipment and design criteria for the fire alarm and detection system included in this Request for Proposal include the following:

- One (1) Fire Alarm Control Panel; located in place of existing FACP
- One (1) Remote Annunciator Panel; located in front entry corridor
- One (1) Manual Pull Station; located in kitchen
- One (1) Monitor Module; located in the kitchen (kitchen hood)
- One (1) Heat Detector; located in the kitchen
- Eighteen (18) Smoke Detectors; locations listed below:
  - four (4) located in the banquet room
  - one (1) located in the men's restroom
  - one (1) located in the women's restroom
  - four (4) located in the main dining room
  - one (1) located in the bar
  - two (2) located in the bar sitting area
  - three (3) located in the entry corridor
  - two (2) located inside storage rooms
- Seven (7) Horn/Strobes; locations listed below:
  - one (1) located in the banquet room
  - one (1) located in the main dining room
  - one (1) located in the bar

- one (1) located in the bar sitting area
- one (1) located in the kitchen
- one (1) located in the entry corridor
- one (1) located on the building exterior
- Two (2) Strobes; locations listed below:
  - one (1) located in the men's restroom
  - one (1) located in the women's restroom

Alarm monitoring services for a duration of one (1) year will also be included as part of this project.

**CONTRACTOR RESPONSIBILITIES:**

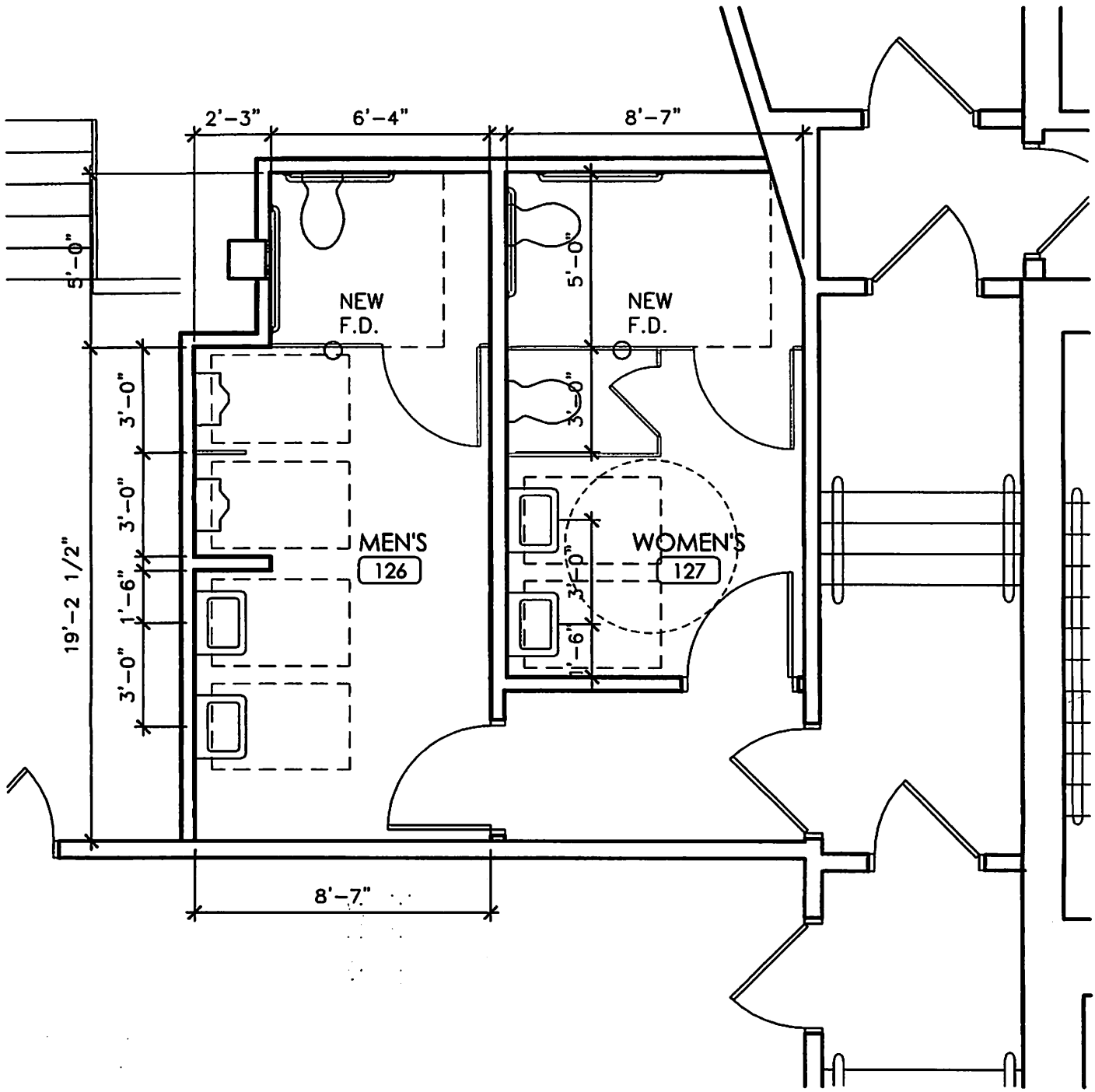
The Contractor responsibilities shall include:

1. Licensing – contractor shall be licensed as required by the State of Minnesota to perform the scope of services herein.
2. Certifications – contractor shall be Fire Alarm Systems NICET certified to a minimum of Level II (or equivalent).
3. Professionalism – contractor and their employees shall conduct themselves in a professional manner while conducting work under this RFP
4. Equipment – contractor is responsible for providing, at their own expense, ladders, lifts, and other related equipment required to perform work under this RFP.
5. Permits – it is the responsibility of the contractor to obtain all permits required for inspection, testing, and maintenance services provided under this RFP.

**PROPOSAL PRICES:**

Proposers are advised that the proposal fee shall be all inclusive and fully burdened to accomplish the service as specified in this RFP. Prices are to include all applicable taxes and fees. Proposers shall provide pricing in an electronic format to John Rupp, [jrupp@commonwealthproperties.com](mailto:jrupp@commonwealthproperties.com)





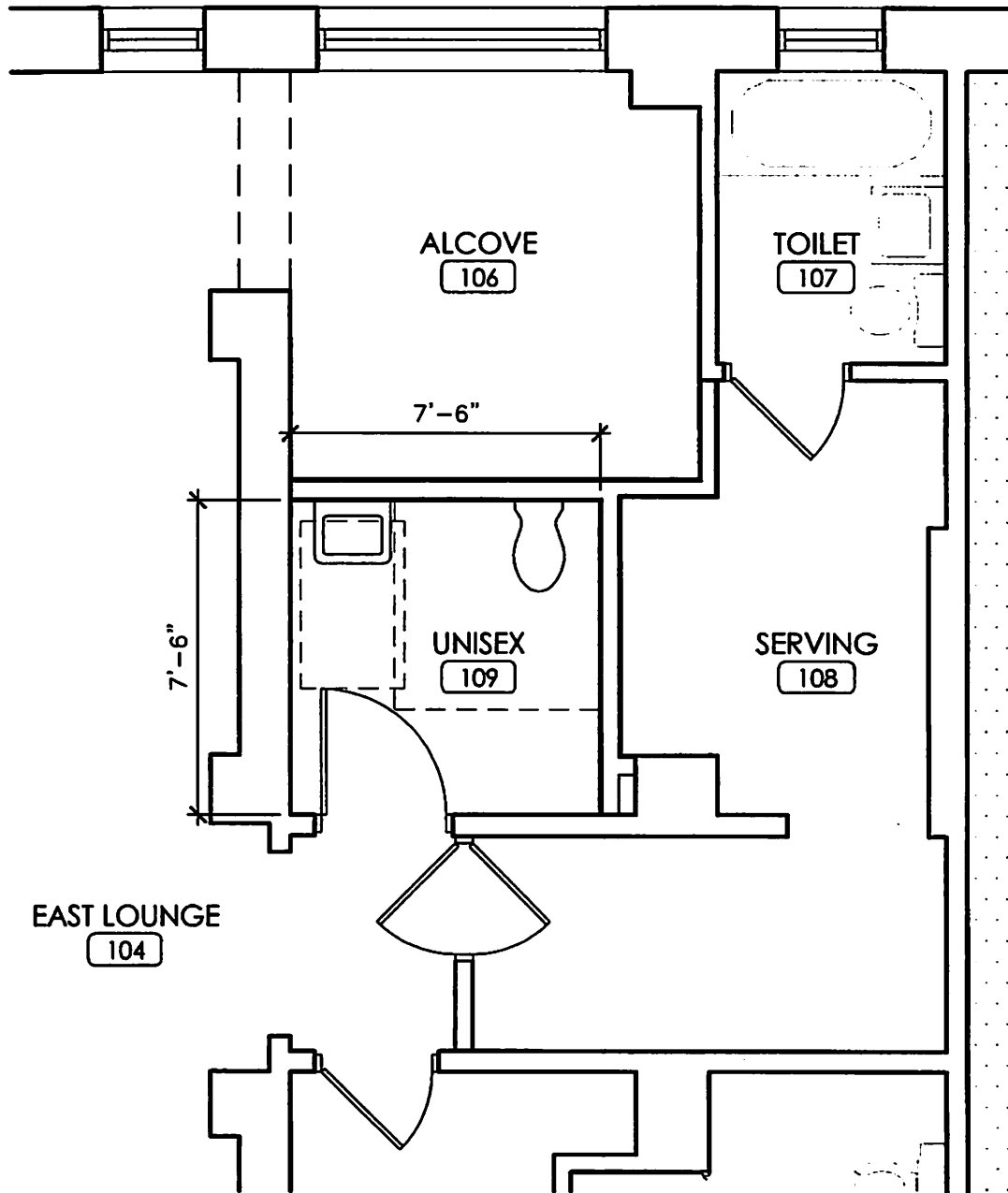
SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



**1**  
**RA1** ENLARGED TOILET PLAN

1/4"

<p>SHEET NO. <b>RA1</b></p>	<p>RESTAURANT INTERIOR ALTERATIONS <b>THE COMMODORE</b> 79 WESTERN AVE N  Enlarged Toilet Room Plan</p>	<p><b>MICIL</b> MCGUIRE COURTEAU LOCKE ARCHITECTS, P.C. 4 WOODBURN BL., SUITE 402 ST. PAUL, MN 55102 (612) 222-6001</p>	<p>DATE 7 MAY 2012 DRAWN B.L.F. CHECKED P.F.A. JOB NO.</p>
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EAST LOUNGE  
104

ALCOVE  
106

7'-6"

TOILET  
107

7'-6"

UNISEX  
109

SERVING  
108

SEE RA3 FOR  
TYP. TOILET ROOM  
INTERIOR ELEVATIONS



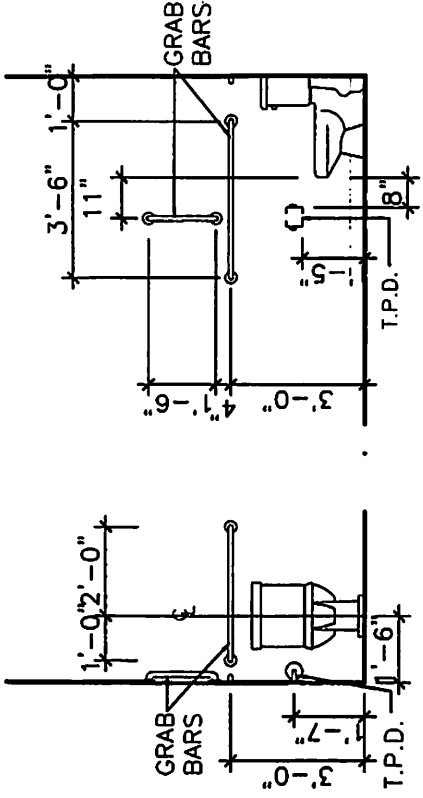
1  
RA2

ENLARGED TOILET PLAN

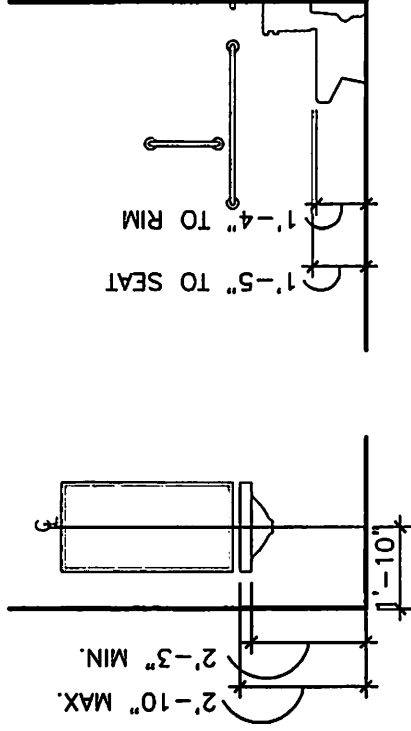
1/4"

<p>SHEET NO. <b>RA2</b></p>	<p>RESTAURANT INTERIOR ALTERATIONS <b>THE COMMODORE</b> 79 WESTERN AVE N  Enlarged Toilet Room Plan</p>	<p><b>MICL</b> MCGUIRE COURTEAU LUCKE ARCHITECTS, INC. 6 WOOD BIRCH DR., SUITE 400 ST. PETERSBURG, FL 33712 (813) 222-9401</p>	<p>DATE 7 MAY 2012 DRAWN G.J.F. CHECKED P.F.M. JOB NO.</p>
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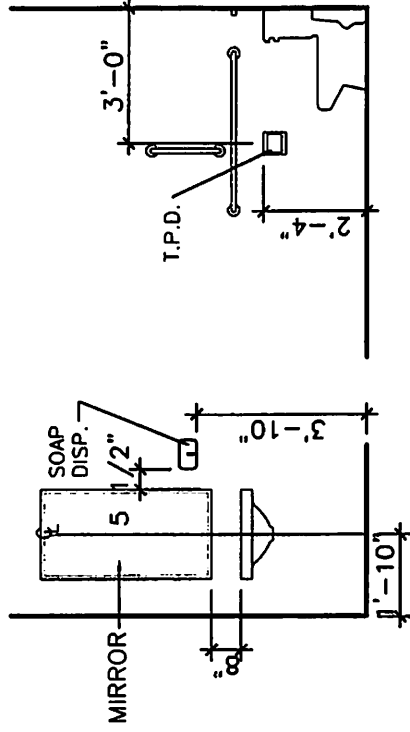




TYP. GRAB BAR MOUNTING HEIGHTS



TYP. FIXTURE MOUNTING HEIGHTS



TOILET RM ACCESSORY MOUNTING HEIGHTS

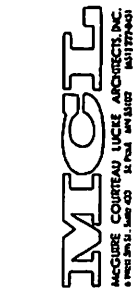
1  
RA3 TYP. TOILET RM MOUNT'G DTLS. 1/4"

SHEET NO

RA3

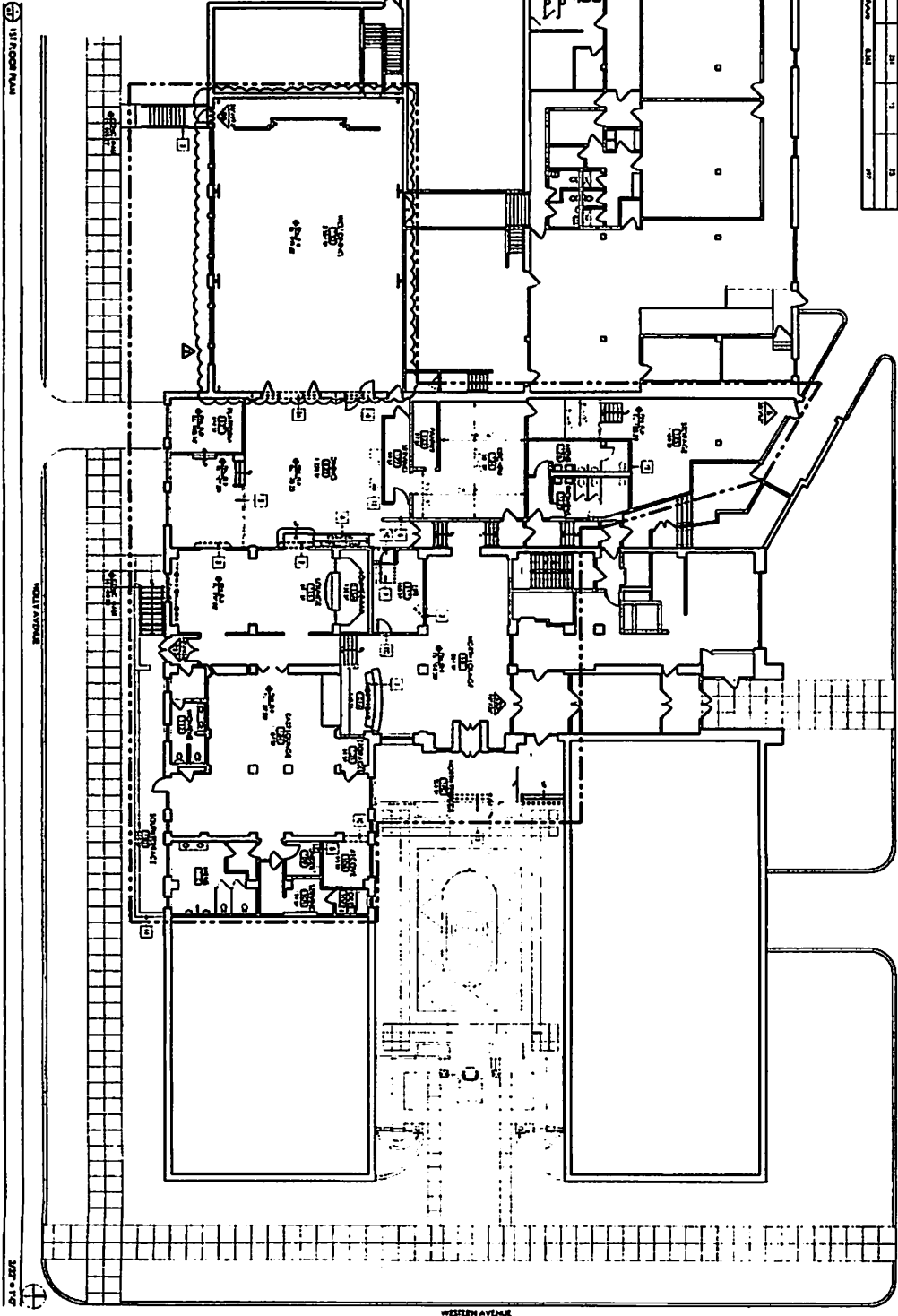
RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
75 WESTERN AVENUE

Toilet Room Details



DATE: 7 MAY 2012  
DRAWN: D.L.J.  
CHECKED: P.F.J.A.  
JOB NO.

1. THE COMMODORE, 77 WESTERN AVENUE, ST. PAUL, MINNESOTA, IS A STRUCTURE OF TYPE "A" AS DEFINED IN SECTION 905.1 OF THE MINNESOTA BUILDING CODE.
2. THE COMMODORE, 77 WESTERN AVENUE, ST. PAUL, MINNESOTA, IS A STRUCTURE OF TYPE "A" AS DEFINED IN SECTION 905.1 OF THE MINNESOTA BUILDING CODE.
3. THE COMMODORE, 77 WESTERN AVENUE, ST. PAUL, MINNESOTA, IS A STRUCTURE OF TYPE "A" AS DEFINED IN SECTION 905.1 OF THE MINNESOTA BUILDING CODE.
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11. THE COMMODORE, 77 WESTERN AVENUE, ST. PAUL, MINNESOTA, IS A STRUCTURE OF TYPE "A" AS DEFINED IN SECTION 905.1 OF THE MINNESOTA BUILDING CODE.
12. THE COMMODORE, 77 WESTERN AVENUE, ST. PAUL, MINNESOTA, IS A STRUCTURE OF TYPE "A" AS DEFINED IN SECTION 905.1 OF THE MINNESOTA BUILDING CODE.



SECTIONAL CALCULATION

AS PER SECTION 905.1

FLOOR	AREA	TYPE	COMPLETION DATE
Basement	122	1	2/2
1st	19	1	2/2
2nd	152	1	2/2
3rd	122	1	2/2
4th	122	1	2/2
5th	122	1	2/2
6th	122	1	2/2
7th	122	1	2/2
8th	122	1	2/2
9th	122	1	2/2
10th	122	1	2/2
11th	122	1	2/2
12th	122	1	2/2
TOTAL	1220		

AS PER SECTION 905.1

FLOOR	AREA	TYPE	COMPLETION DATE
Basement	122	1	2/2
1st	19	1	2/2
2nd	152	1	2/2
3rd	122	1	2/2
4th	122	1	2/2
5th	122	1	2/2
6th	122	1	2/2
7th	122	1	2/2
8th	122	1	2/2
9th	122	1	2/2
10th	122	1	2/2
11th	122	1	2/2
12th	122	1	2/2
TOTAL	1220		

FINISHED SURFACE

AS PER SECTION 905.1

FLOOR	AREA	TYPE	COMPLETION DATE
Basement	122	1	2/2
1st	19	1	2/2
2nd	152	1	2/2
3rd	122	1	2/2
4th	122	1	2/2
5th	122	1	2/2
6th	122	1	2/2
7th	122	1	2/2
8th	122	1	2/2
9th	122	1	2/2
10th	122	1	2/2
11th	122	1	2/2
12th	122	1	2/2
TOTAL	1220		

10140 <b>A1</b>	<b>RESTAURANT REVISION ALTERATIONS</b> <b>THE COMMODORE</b> 77 WESTERN AVE IN ST. PAUL, MINNESOTA  10140 CODE PLAN	DESIGNED BY: ARCHITECT: CONTRACTOR: DATE:	CHECKED BY: ARCHITECT: CONTRACTOR: DATE:	SEALS AND STAMPS: ARCHITECT: CONTRACTOR: DATE:	I hereby certify that this plan was prepared to the best of my knowledge and belief that it is a true and correct representation of the work shown and that I am a duly licensed professional engineer under the laws of the State of Minnesota.	DIVISION OF BUILDING SAFETY ST. PAUL, MINNESOTA PLAN NO. 252	10140 11 2012 10140 11 2012
		COMPLETION DATE: CONTRACTOR: DATE:	SEALS AND STAMPS: ARCHITECT: CONTRACTOR: DATE:	DIVISION OF BUILDING SAFETY ST. PAUL, MINNESOTA PLAN NO. 252		10140 11 2012 10140 11 2012	





**Christopher Leaver, PE**  
Senior Fire Protection Engineer – Summit Fire Consulting



Christopher is a Senior Fire Protection Engineer and division manager with Summit Fire Consulting and has been involved in the fire protection and code compliance industry since 1996. Chris has provided consulting services on multiple building types, including cultural, special use, corporate, healthcare, education, retail, public, and aviation. Chris's expertise includes code consulting, fire sprinklers, fire detection and alarms, smoke management, fire modeling, hydraulic analysis, building and fire code analysis, performance based design, and hazardous materials. Chris is currently licensed as a Fire Protection Engineer in the State of Minnesota and California. He is a member of the National Fire Protection Association (NFPA) and Society of Fire Protection Engineers (SFPE).

<b>Employment</b>	<p>2014 – <i>Cur.</i> Summit Fire Consulting, St. Paul, MN</p> <ul style="list-style-type: none"><li>o Division Manager/Senior Fire Protection Engineer</li></ul> <p>2007 – 2014 Hughes Associates, Rockford, MN</p> <p>1998 – 2007 Gage-Babcock &amp; Associates, Oak Brook, IL</p> <p>1996 – 1998 MountainStar Group, Bloomington, MN</p>
<b>Areas of Expertise</b>	Building and fire code analysis; Life safety analysis; Fire modeling; Hazardous materials; Hydraulic analysis; Fire protection systems design and testing; Performance-based design; Arena/Stadiums; Atria; Malls; Casinos; High-Piled Storage Warehouses; Hazardous Occupancies (Hazardous Materials)
<b>Professional Experience</b>	<p><b>Building and Fire Code Analysis:</b> Provided detailed code reviews and analyses, and fire life safety compliance surveys for a variety of occupancies. Specific experience includes multi use recreation facilities, malls, air traffic control towers, arena/stadiums, casinos, health care, high-rise office and residential buildings, college/universities and hazardous/industrial occupancies.</p> <p><b>System Design &amp; Testing:</b> Developed design documents for the installation of a variety of fire protection systems including: automatic sprinklers, water-spray, fire alarm, fire pumps, and smoke control. Designs have included high-rise buildings, Air Traffic Control Towers, and Casinos and both new and retrofit installations. Performed numerous special inspection and testing services for a wide variety of smoke control systems and occupancies. Systems have ranged from building (floor-to-floor) pressurization systems, atrium systems, engineered exhaust/purge systems, stair pressurization systems, and elevator hoistway pressurization systems.</p> <p><b>Hazardous Materials:</b> Performed numerous projects involving the classification of hazardous materials and developing fire protection requirements for the hazards involved. Specific experience includes flammable and combustible liquids, aerosols, oxidizers, and various health hazards.</p> <p><b>Fire Modeling:</b> Performed computer-based mathematical fire modeling addressing fire growth, smoke and toxic gas generation, smoke movement and transport, Use, modification, and evaluation of mathematical fire models to evaluate fire hazards, design smoke control systems, develop performance-based designs, and complete engineering analyses.</p>
<b>Education</b>	Bachelor of Science in Mechanical Engineering Worcester Polytechnic Institute, Worcester, MA – 1994
<b>Certifications</b>	Professional Engineer (PE) in the discipline of Fire Protection Engineering <ul style="list-style-type: none"><li>o Minnesota (2007)</li><li>o California (2000)</li></ul>
<b>Affiliations</b>	National Fire Protection Association (NFPA) –Member Society of Fire Protection Engineers (SFPE) – Member



STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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In the Matter of all licenses held by the  
University Club of St. Paul, d/b/a The  
Commodore for the premises Located at 79  
Western Avenue in Saint Paul  
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**RESPONDENT'S EXPERT WITNESS  
DISCLOSURES  
Robert Fischer**

Below is Respondent's Expert Witness Disclosure, for the individual listed in the caption, submitted in accordance with ¶ 1 of the Third Prehearing Order, dated July 10, 2017.

**1. The name, business address, and telephone number of the expert witness.**

Robert Fischer, PE  
Mechanical Systems Design, LLC  
332 Minnesota Street, Ste. W2200  
St. Paul, MN 55101-1532  
651-602-0156

**2. A complete statement of all opinions the witness will express and the basis and reasons for them.**

See the attached letter, dated June 14, 2017. The letter was written by Charlie Lampert, Project Manager. However, the conclusions, and the basis therefor, were reviewed and approved by me.

**3. The facts or data considered by the witness in forming them.**

See the attached letter, dated June 14, 2017. In addition, Mr. Lampert relied upon floor plans for the relevant premises.

**4. Any exhibits that will be used to summarize or support them.**

None at the present time.



5. **The witness's qualifications, including a list of all publications authored in the previous 10 years.**  
See the attached Resume.
6. **A list of all other cases in which, during the previous four years, the witness testified as an expert at trial or by deposition.**  
None.
7. **A statement of the compensation to be paid for the study and testimony in the case.**  
Compensation for the preparation of the testimony and the testimony will be paid on an hourly basis. The current hourly rate for the witness is \$165/hour.

**PFB LAW, PROFESSIONAL ASSOCIATION**

Dated: July 31, 2017

By: /s/ John M. Miller  
Atty. Lic. #7326X  
PFB Law, Professional Association  
55 East 5<sup>th</sup> Street, Suite 800  
St. Paul, MN 55101  
(651) 291-8955  
jmiller@pfb-pa.com  
*Attorney for Respondent*

Dated: July 31, 2017

  
\_\_\_\_\_  
Robert Fischer



Mechanical Systems Design, Inc.  
332 Minnesota Street, Ste W2200  
St. Paul, MN 55101-1503  
Phone (651) 602-0456  
Fax (651) 602-0455

June 14, 2017

**Project:** Commodore Hotel Restaurant  
79 Western Ave N  
Saint Paul, MN 55102

**Subject:** Testing of Dining and Kitchen Area Pressures Relationships.

To whom it may concern,

On the afternoon of Wednesday, June 14, 2017, I tested differential pressures between the following three zones in the Commodore Hotel Building: Banquet Room, Dining Room, and the Kitchen. There are three existing air handling units, each serving one of these zones. They are operational and are functioning as intended. A new wall opening was recently added between the Banquet Room and the Dining Room. No other modifications to mechanical systems were made.

- Pressure differential between the Banquet Room and the Dining was recorded at neutral. No airflow going between the two areas. This test was done with the new wall opening partition doors closed.
- The pressure differential from the Dining to the Kitchen was recorded at 0.01 "wg positive (Airflow into the Kitchen).

In conclusion, the new opening between the Banquet Room and the Dining Room has not impacted the pressure relationship or airflows in the Kitchen or Dining Rooms and the kitchen hood performance has not been affected by this modification.

Please call with any questions or comments.

*Charlie Lampert , Project Manager*  
Mechanical Systems Design, LLC  
332 Minnesota Street, Ste. W2200  
St. Paul, MN 55101-1532  
(651) 894-6186 direct  
(651) 602-0456 main  
(612) 751-1490 cell  
(651) 602-0455 fax

**MSD | *Engineering Insight, Intelligent Results.***  
*Providing Engineering Services for over 30 Years*

cc: Bob Fischer  
John Rupp  
Lynes Welk

---

## Robert Fischer, PE      Mechanical Engineer

Education ■ Bachelor of Mechanical Engineering,  
University of Minnesota.

Role on Projects ■ Bob is responsible for mechanical engineering,  
client contact, and technical quality of the  
project. He is also responsible for system  
design and integration of DDC temperature  
controls into the project design.



Related Experience ■ Mr. Fischer has more than thirty years of experience as a consulting mechanical engineer on projects throughout the country and unusually strong management skills. His work includes major projects for 3M Company, University of Minnesota, State of Minnesota, Minnesota State University system and many private clients. Mr. Fischer served as MSD's project engineer for the Haecker Hall Renovation Project. A large and complex renovation of a historically significant building on the St. Paul campus of the University of Minnesota; this project required replacement of all mechanical systems and has been used as an example by the University of how they want their major renovation projects to proceed. More recently, his work includes major HVAC upgrade projects in occupied laboratory/office buildings and manufacturing plants that remained in full production during the upgrades.

Bob is also responsible for MSD's Sustainable Design work and leads those efforts. Sustainable design is a mindset by all involved in the design, construction and operation of the built environment to accept the responsibility of providing a healthy and pleasing environment. The challenge requires fortitude and diligence by an integrated design team with similar goals of providing design solutions that address the social, economic and environmental impacts of a building. Bob accepts this challenge and strives to design systems that are sustainable and energy efficient.

Bob is currently involved in writing specifications, sequences of operation, and assisting with project startup and commissioning. He is also responsible for confirming conformance with State Sustainability Guidelines and energy and indoor air quality guidelines.

Honors/Associations ■ Mr. Fischer is licensed in 17 states. He is a member of ASHRAE, NFPA, and is certified as a LEED® Accredited Professional through the U.S. Green Building Council. Bob was a member of the original Minnesota AHSRAE Sustainable Design Committee and is currently a co-chair.



**Ubl, Stephen (CI-StPaul)**

---

**From:** Skradski, John (CI-StPaul)  
**Sent:** Monday, January 25, 2016 9:00 AM  
**To:** Ubl, Stephen (CI-StPaul)  
**Cc:** Zangs, Larry (CI-StPaul); Williamette, James (CI-StPaul)  
**Subject:** 79 Western Ave N -- Commodore - Bar and Restaurant  
**Attachments:** 2015 Affidavit C - 79 Western Ave N.xlsx; 79 Western Ave. N..pdf

Steve,

After an exhaustive search conducted by Larry Zangs and myself the information we found was that the "now" banquet room was formerly an Exercise Room when the Squash addition was constructed in 1976 and remained an Exercise Room until 1987. In 1987 a building permit was issued to install windows on the Holly Ave (South) side of the building. Some information indicated the Exercise Room was vacant in 2004. A building permit # 12-017614 was issued in 2012 for an interior remodel but it appears it was for providing accessibility and restroom improvements and no mention of remodeling the Exercise Room into a Banquet Hall. If you look at the Building Permit Inspection notes it will help to give you an insight what and who had looked at the work done.

Based on that information that the space was an Exercise Room I filled the information out on a MCES Affidavit-C form (attached) and using the numbers provided from some plans that we found, the site would only be credited with 1.25 or 1 SAC credit based on the information from the SAC manual. However if you use Met Council's formula for calculating it would come to 2,587 sq. ft. X 80% usable space @ 3000 sq. ft./SAC = .68 or 1 SAC credit. Either way it will only be 1 SAC credit. The letter they received from Met Council on December 18, 2015 is giving them 3 SAC credits (attached). However, I am not sure where Met Council came up with their numbers (11,232 sq. ft.).

I would suggest we let the owner know he is better off using the Met Council SAC letter dated December 18, 2015 or he may end up paying even more SAC.

We will wait for your decision as to which way we should proceed and how we will collect the SAC monies for Met Council since the building has been given a Temporary C of O.



John Skradski  
Plan Examiner II  
Department of Safety and Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101  
P: 651-266-9075  
[john.skradski@ci.stpaul.mn.us](mailto:john.skradski@ci.stpaul.mn.us)

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The Most Livable  
City in America

Making Saint Paul the Most Livable City in America

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





Date of Determination: 09/25/17

Determination Expiration: 09/25/19

Greetings!

Please see the determination below.

**Project Name:** Commodore Bar and Restaurant  
**Project Address:** 79 Western Avenue North  
**Suite #/Campus:** na  
**City Name:** St Paul  
**Applicant:** John Rupp, Commonwealth Properties

**Special Notes:** The previous letters for this determination were dated 12/18/15, letter reference 151218A5 and 05/24/17, letter reference 170524A7. The City will be charged SAC as determined below, instead of the units previously assigned. The redetermination is based on missed outdoor seating.

**Charge Calculation:**

Bar: 23 ft. @ 1.5 ft. / seat @ 23 seats / SAC = 0.67  
Indoor Seating: 5955 sq. ft. @ 15 sq. ft. / seat @ 10 seats / SAC = 39.70  
Outdoor Seating: 283 sq. ft. @ 15 sq. ft. / seat @ 10 seats / SAC x 25% = 0.47

**Total Charge:** 40.84

**Credit Calculation:**

Non-Conforming Grandparent Demand (1924) City Affidavit-C  
Fitness: 2587 sq. ft. @ 2060 sq. ft. / SAC = 1.25  
Indoor Seating: 4067 sq. ft. @ 15 sq. ft. / seat @ 10 seats / SAC = 27.11  
Bar: 23 ft. / 1.5 ft. / seat @ 23 seats / SAC = 0.67

**Total Credit:** 29.03

**Net SAC:** 11.81 – or – **12 SAC Due**

The business information was provided to MCES by the applicant at this time. It is the City's responsibility to substantiate the business use and size at the time of the final inspection. If there is a change in use or size, a redetermination will need to be made. If you have any questions email me at: [cory.mccullough@metc.state.mn.us](mailto:cory.mccullough@metc.state.mn.us)

Thank you,

**Cory McCullough**

SAC Technician

Please visit our SAC website by going to: <http://www.metrocouncil.org/SACprogram>





Metropolitan Council | Environmental Services  
 390 Robert Street North  
 St. Paul, Minnesota 55101-1805  
 651.602.1770 | 651.602.1030 fax

MCES Affidavit-C  
 Last Updated: 12/13/2016

## Sewer Availability Charge (SAC) 2017 AFFIDAVIT OF PROPERTY USE

This Affidavit of Property Use is to verify the demand on this property for SAC purposes for Non-Conforming Credit when there is **no evidence of SAC paid** for the existing demand and **no documentation can be found** for the two types of Non-Conforming Credit: 1) Grandparent Demand (demand used prior to 1973 when the SAC program began with evidence between 1968-1978); and 2) Continuous Demand (demand from more than 10 years ago through 3 years prior to current SAC Determination).

**Business Site Address:** 79 Western Ave N  
**City Name:** City of St Paul  
**Dates of Non-Conforming Credit:** 01/1924 through 01/1992  
**Type of Non-Conforming Credit:**  Grandparent Demand -or-  Continuous Demand

We certify that Community staff have researched the above property and found no written proof of the existing use on this site. Records researched may have included: dated building plans associated with a specific permit, building inspection records stating the actual use of the property, business licenses, and/or building or county assessment records. The records that were researched include:

Historic files, address paper files with building permits, licensing records, SAC documents

Although we could find no written proof, we believe the demand of this property includes (must be specific in what was there and, if more than one demand, include the amount of square feet or number of seats for each specific use):

Exercise Room at 2,587 sq. ft./2,060 sq. ft. per SAC = 1.25 SAC Credit

Restaurant -- Bar 23 ft @ 1.5 ft / seat @ 23 seats/SAC = 0.67

Main Restaurant -- 4067 sq. ft./15 sq. ft./ seat @ 10 seats/ SAC = 27.11 SAC Credit

Total SAC Credits -- 1.25 + 27.11 = 28.36 or 28 SAC Credits

and was used in this manner during the Non-Conforming Credit dates as stated above.

We hereby certify that we have read and understood this affidavit and that the statements are true to our knowledge and belief. We further understand that the giving of false information in this affidavit constitutes fraud and is also cause for the immediate redetermination of any charges. We have no conflict of interest in this matter.

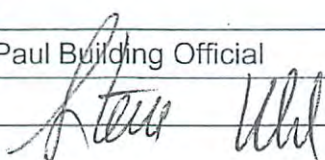
**Name of Government Official:** James Williamette

**Title of Government Official:** Plan Review Supervisor

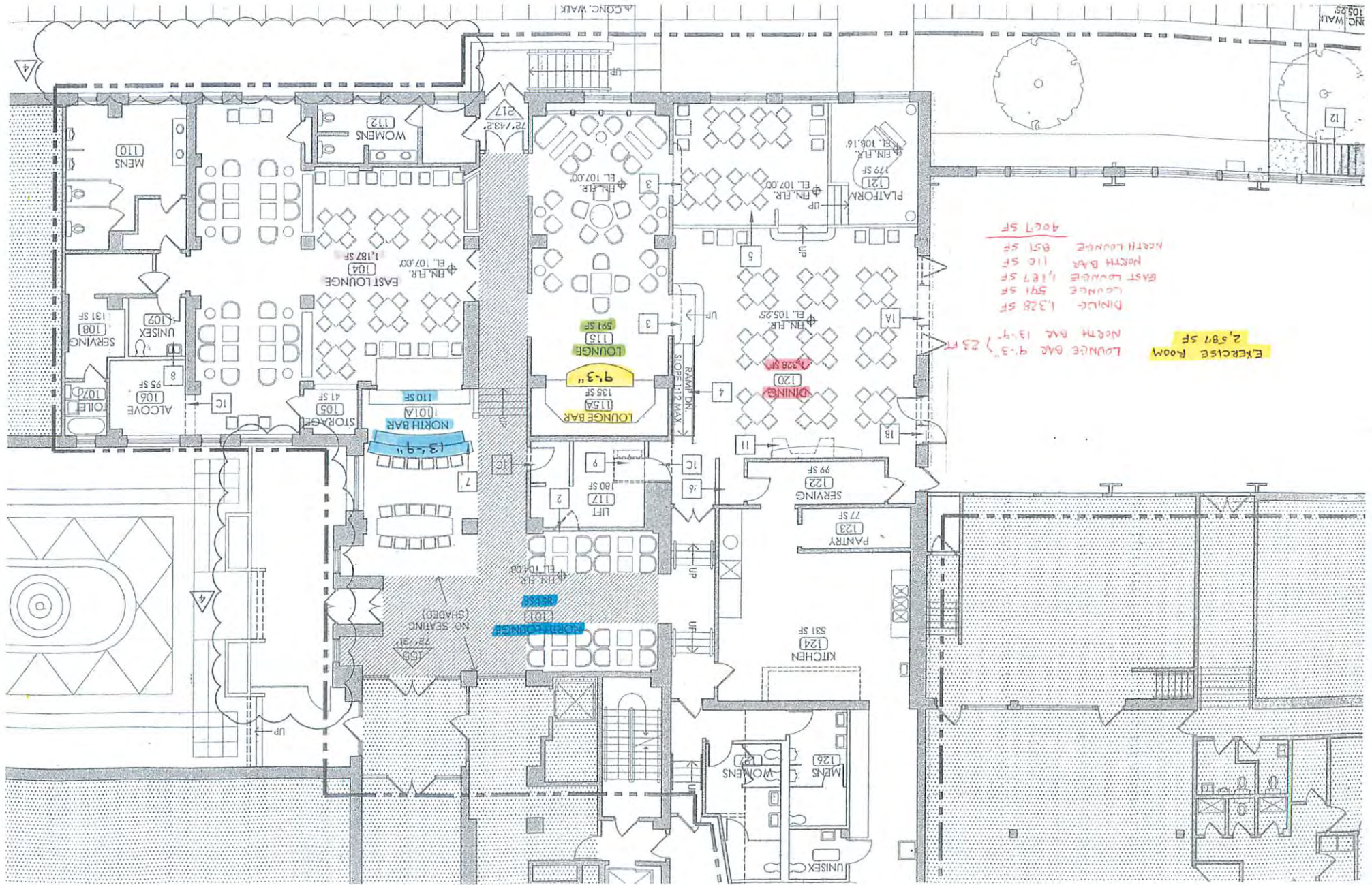
**Signature of Government Official:**  **Date:** 9-15-17

**Name of Government Official:** Steve Ubl

**Title of Government Official:** City of St Paul Building Official

**Signature of Government Official:**  **Date:** 9/17/17





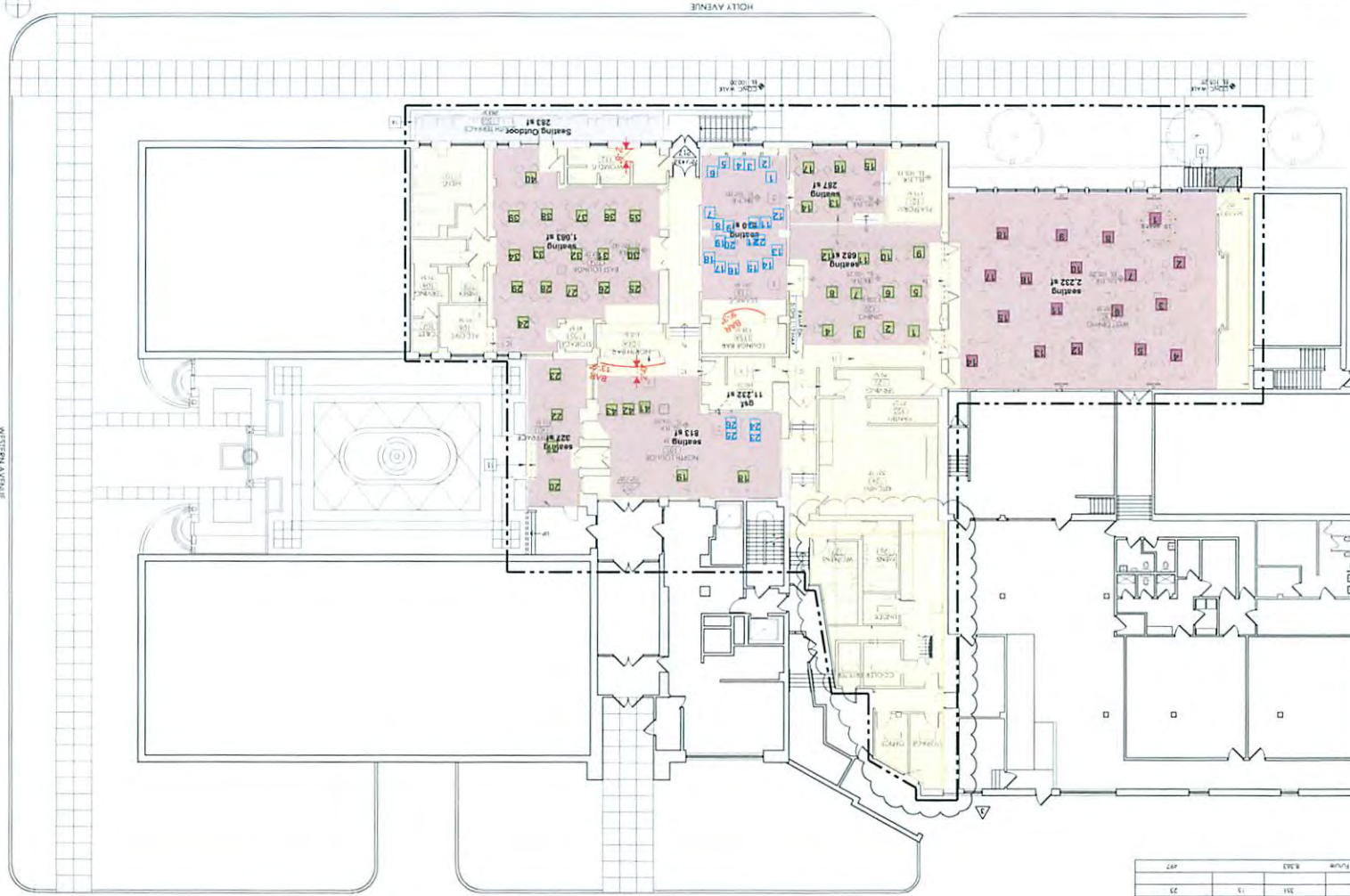
EXERCISE ROOM  
 2,587 SF  
 LOUNGE BAR 9'-3" x 25 FT  
 NORTH BAR 13'-9"  
 DINING 1,328 SF  
 LOUNGE 591 SF  
 EAST LOUNGE 1,187 SF  
 NORTH BAR 110 SF  
 NORTH LOUNGE 851 SF  
 4067 SF

EXERCISE ROOM  
 2,587 SF



- ▲ 1. FLOOR PLAN
- ▲ 2. OCCUPANT LOAD
- ▲ 3. MECHANICAL
- ▲ 4. ELECTRICAL
- ▲ 5. PLUMBING
- ▲ 6. FIRE PROTECTION
- ▲ 7. ACCESSIBLE
- ▲ 8. EGRESS
- ▲ 9. FINISHES
- ▲ 10. PARTITIONS
- ▲ 11. NEW EXISTING
- ▲ 12. NEW EXISTING
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151 FLOOR PLAN  
 HOLLY AVENUE  
 WESTERN AVENUE  
 3/22' = 1'-0"

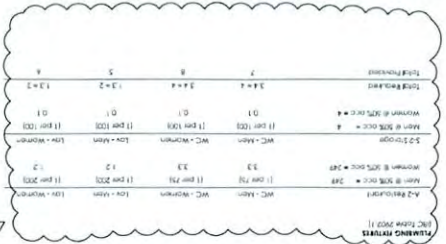


**Table 1: Furniture Schedule**

Description	Quantity	Area (sq ft)
Seating - Dining	200	100
Seating - Bar	50	25
Seating - Office	100	50
Seating - Reception	20	10
Seating - Waiting	150	75
Seating - Total	420	210

**Table 2: Occupant Load Schedule**

Room	Area (sq ft)	Occupant Load
Dining Area	100	20
Bar	25	5
Office	50	10
Reception	10	2
Waiting	75	15
Total	210	42



**PROJECT INFORMATION**

PROJECT NO. **A1**

RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
 75 WESTERN AVENUE  
 ST. PAUL, MINNESOTA

DATE: 01/17/2017  
 BY: [Signature]  
 CHECKED: [Signature]  
 IN CHARGE: [Signature]

**MECHANICAL CONSULTANTS**  
 [Firm Name]  
 [Address]  
 [Phone]  
 [Fax]

**ELECTRICAL CONSULTANTS**  
 [Firm Name]  
 [Address]  
 [Phone]  
 [Fax]

**PLUMBING CONSULTANTS**  
 [Firm Name]  
 [Address]  
 [Phone]  
 [Fax]

**DATE:** 01/17/2017  
**BY:** [Signature]  
**CHECKED:** [Signature]  
**IN CHARGE:** [Signature]



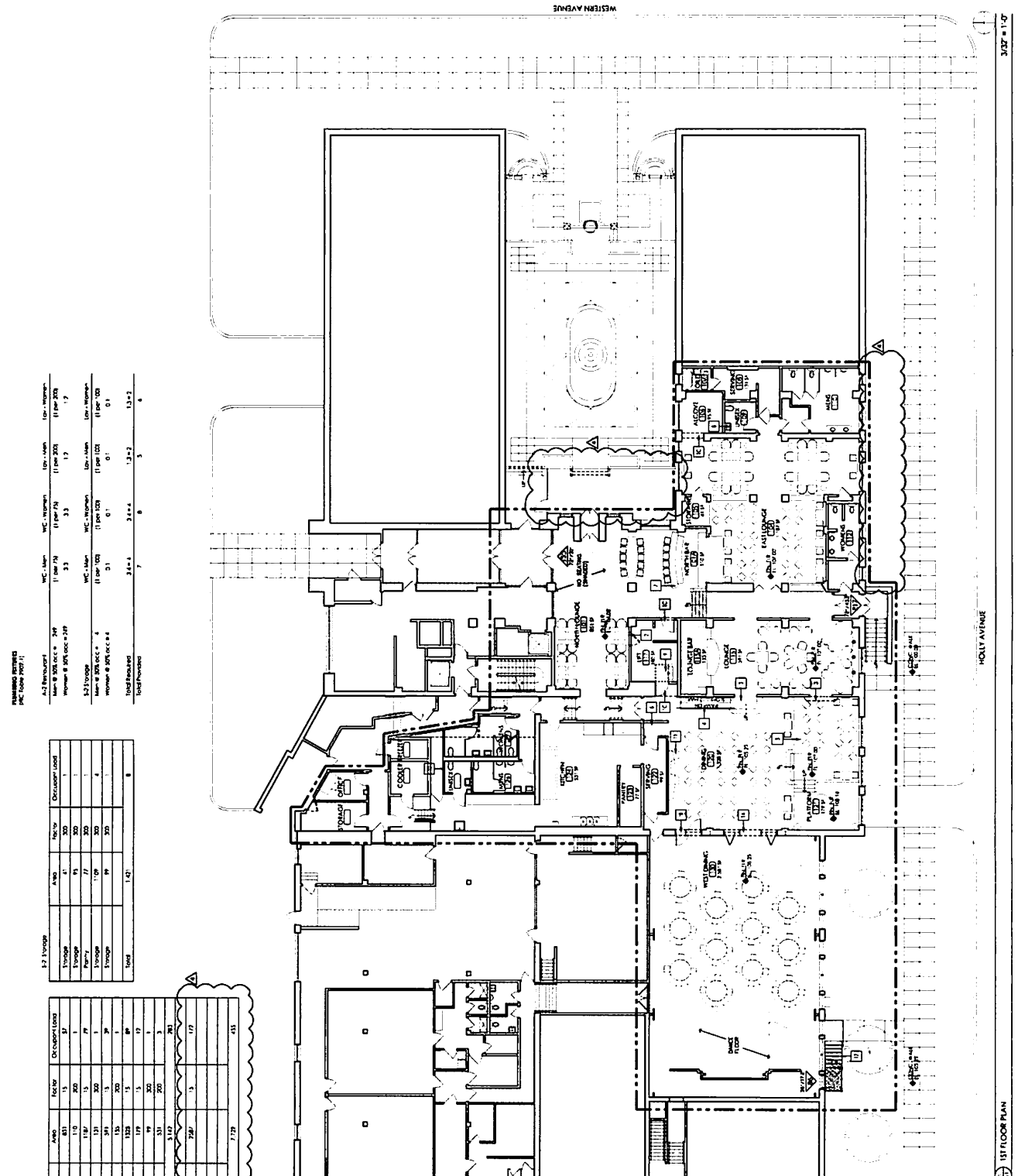


MECHANICAL CONSULTANTS  
 Mechanical Engineering  
 360 Park Ave  
 St. Paul, MN 55101  
 Phone: 612-224-5485

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 Phone: 612-224-5485



1-2 Storage

Area	Qty	Occupy Load
Storage	41	300
Storage	15	300
Storage	77	300
Storage	109	300
Storage	99	300
<b>Total</b>	<b>142</b>	

A-2. Restrooms

Area	Footprint	Occupancy Load
Men's	831	15
Men's	110	300
Men's	110	300
Men's	131	300
Men's	135	300
Men's	135	300
Men's	1328	15
Men's	179	15
Men's	89	300
Men's	331	300
Men's	1170	300
<b>Total</b>	<b>2567</b>	<b>112</b>

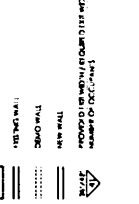
435

GEORGIAN CLASSIFICATION  
 IRC Section 407  
 1-2 Temporary Storage  
 1-2 Temporary Storage

PERMANENT RESTRICTIONS  
 IRC Section 407.11

Area	Area	Area	Area	Area	Area
1-2 Temporary Storage	1-2 Temporary Storage	1-2 Temporary Storage	1-2 Temporary Storage	1-2 Temporary Storage	1-2 Temporary Storage
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- 1) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
- 2) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
- 3) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
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- 7) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
- 8) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
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- 11) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.
- 12) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.



SCOPE OF INTERIOR ALTERATIONS  
 1) REMOVE PORTION OF 1ST FLOOR WALLS AT SERVICE BAR TO ACCOMMODATE WAITING STATION. VERIFY WALLS TO BE REMOVED ARE NOT STRUCTURAL. VERIFY WALLS TO BE REMOVED ARE NOT PART OF FIRE WALL SYSTEM.





## MEMORANDUM

**Project:** The Commodore, Restaurant Interior Alterations, 79 Western Ave N

**Project No.** 74803.010

**Date:** 27 March 2018

**RE:** Summary of Issued Drawings & Revisions

---

### Issued Drawings:

<u>Sheet No.</u>	<u>Drawing Title</u>	<u>Date</u>
A1	1 <sup>st</sup> Floor Plan	01 Feb 2012
A1	1 <sup>st</sup> Floor Plan, <u>Revision #1</u>	07 May 2012 ( <i>issued for Permit</i> )
RA1	Enlarged Toilet Plan	07 May 2012 ( <i>issued for Permit</i> )
RA2	Enlarged Toilet Plan	07 May 2012 ( <i>issued for Permit</i> )
RA3	Typical Toilet Room Mounting Details	07 May 2012 ( <i>issued for Permit</i> )
A1	1 <sup>st</sup> Floor Plan, <u>Revision #2</u>	30 May 2014
A1	1 <sup>st</sup> Floor Plan, <u>Revision #3</u>	09 Mar 2015
A1	1 <sup>st</sup> Floor Plan, <u>Revision #4</u>	30 Aug 2017
A1	1 <sup>st</sup> Floor Plan, <u>Revision #5</u>	27 Mar 2018

### Drawing Revision Summary

Sheet A1, Revision #1 (dated 07 May 2012):

1. Add Accessible Unisex Toilet 109.
2. Add Men's 126 & Women's 127
3. Revise "Plumbing Fixture" calculations to include West Dining occupants.
4. Revise Note 12.
5. Revise Note 13.
6. Add Note 14 & 15.
7. At West Dining 130, delete note: "Area of Future Work". In lieu thereof, modify Scope of Interior Work outline to include West Dining 130.

Sheet A1, Revision #2 (dated 30 May 2014):

1. At West Dining 130, add wall.
2. At West Dining 130, delete Note 7.

Sheet A1, Revision #3 (dated 09 Mar 2015):

1. At Men's 126, revise to add Unisex Toilet.
2. Revise "Plumbing Fixture" calculations.
3. At Storage 125, revise to add Cooler, Freezer and Office.

The Commodore, Restaurant Interior Alterations, 79 Western Ave N  
27 March 2018  
Page 2 of 2

Sheet A1, Revision #4 (dated 30 Aug 2017)

1. Provide as-built furnishing layout.
2. Delete Notes 13, 14 & 15.
3. Revise Occupant Load Table - delete "Future West Dining", in lieu thereof, add "West Dining".

Sheet A1, Revision #5 (dated 27 Mar 2018)

1. Add "General Notes at West Dining 130" and attachments prepared by MSD (HVAC), Summit Fire Consulting, and Larson Engineering (Structural).
2. At Alcove 106, revise to read Brides/Green Room 106.
3. At Serving 108, revise to read Brides/Green Room 108.
4. At Toilet 107, revise to read Powder 107.
5. Revise "Plumbing Fixture" calculations.

McGUIRE COURTEAU LUCKE ARCHITECTS, INC.

Bryan Ford

cc: John Rupp, Owner





Mechanical Systems Design, Inc.  
332 Minnesota Street, Ste W2200  
St. Paul, MN 55101-1503  
Phone (651) 602-0456  
Fax (651) 602-0455

June 14, 2017

**Project:** Commodore Hotel Restaurant  
79 Western Ave N  
Saint Paul, MN 55102

**Subject:** Testing of Dining and Kitchen Area Pressures Relationships.

To whom it may concern,

On the afternoon of Wednesday, June 14, 2017, I tested differential pressures between the following three zones in the Commodore Hotel Building: Banquet Room, Dining Room, and the Kitchen. There are three existing air handling units, each serving one of these zones. They are operational and are functioning as intended. A new wall opening was recently added between the Banquet Room and the Dining Room. No other modifications to mechanical systems were made.

- Pressure differential between the Banquet Room and the Dining was recorded at neutral. No airflow going between the two areas. This test was done with the new wall opening partition doors closed.
- The pressure differential from the Dining to the Kitchen was recorded at 0.01"wg positive (Airflow into the Kitchen).

In conclusion, the new opening between the Banquet Room and the Dining Room has not impacted the pressure relationship or airflows in the Kitchen or Dining Rooms and the kitchen hood performance has not been affected by this modification.

Please call with any questions or comments.

*Charlie Lampert, Project Manager*  
Mechanical Systems Design, LLC  
332 Minnesota Street, Ste. W2200  
St. Paul, MN 55101-1532  
(651) 894-6186 direct  
(651) 602-0456 main  
(612) 751-1490 cell  
(651) 602-0455 fax

**MSD** | *Engineering Insight, Intelligent Results.*  
*Providing Engineering Services for over 30 Years*

cc: Bob Fischer  
John Rupp  
Lynes Welk



May 5, 2017

Mr. John R. Rupp  
Commonwealth Properties  
6 West 5<sup>th</sup> Street, Suite 900  
St. Paul, MN 55102

575 Minnehaha Avenue W  
St. Paul, MN 55103  
651.251.1880 [P] | 651.251.1879 [F]  
www.SummitCoUS.com

RE: THE COMMODORE - CODE CONSULTING SERVICES

THE COMMODORE BAR & RESTAURANT  
79 WESTERN AVE. N  
ST. PAUL, MN 55102

Dear John,

This letter is intended to summarize the applicable fire protection and fire alarm requirements for a remodel project in the West Dining Room at the Commodore Bar and Restaurant located at 79 Western Ave. N. The applicable building code includes both the 2015 Minnesota State Building Code (MSBC)<sup>1</sup> and Minnesota State Existing Building Code (MSEBC)<sup>2</sup>. The Authority Having Jurisdiction (AHJ) includes the City of St. Paul.

#### **PROJECT BACKGROUND**

The Commodore is an existing building which includes residential apartments (Group R-2), restaurant & bar (Group A-2), and banquet space (Group A-2). Several remodel projects have occurred within the building. It should be noted this letter pertains only to the remodel work in the West Dining Room (i.e. banquet, dining area). It is the understanding of Summit Fire Consulting that previous permitted uses of the space included restaurant/dining (i.e. Group A-2).

The scope of the remodel work in the West Dining Room included new interior finishes (i.e. new ceiling, flooring, wall, etc.). In addition, a wall was added to help segregate a small storage area (i.e. chairs, tables) from the remainder of the dining space. A new exit door was added, allowing occupants to egress directly to the exterior.

#### **CODE NAVIGATION**

The following are defined by the 2015 MSEBC:

**Alteration Level 1** – *Removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose*

---

<sup>1</sup> The 2015 MSBC includes the 2012 International Building Code (IBC) with Minnesota amendments

<sup>2</sup> The 2015 MSEBC includes the 2012 International Existing Building Code (IEBC) with Minnesota amendments

**Alteration Level 2** – *Reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment*

**Work Area** – *That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.*

The scope of work noted previously is divided into various Levels of Alterations based on the definitions included in the 2015 MSEBC:

- Interior Finishes – 100% of work area: Level 1 Alteration
- New Exit door - <5% of work area: Level 2 Alteration
- New interior partition - <5% of work area: Level 2 Alteration

As noted above, the Level 1 Alteration work encompassed 100% of the work area and the Level 2 Alteration comprised less than 10% of the work area.

Because the Level 2 Alteration requirements are more restrictive than the Level 1 Alteration requirements, the intent is to meet the requirements for Level 2 within the work area. The following are requirements for fire protection and fire alarm based on Section 804 of the 2015 MSEBC:

#### Fire Protection

##### **804.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-4, S-1 and S-2**

*In buildings with occupancies in Groups A,B,E,F-1,H,I,M,R-1,R-4,S-1 and S-2, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:*

1. *The work area is required to be provided with automatic sprinkler protection in accordance with the IBC as applicable under new construction; and*
2. *The work area exceeds 50 percent of the floor area.*

Both conditions 1 and 2 need to be met to require fire protection within the space. Item #1 requires sprinkler protection based on the requirements of Section 903.2.1.2 of the MSBC; however, Item #2 is not met since the Level 2 alteration work does not encompass more than 50 percent of the work area. It should be noted that when a sprinkler system is required by Section 804, the following exception is included in the 2015 MSEBC:

*If the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces other than sleeping or dwelling units or individual dwelling units that activates the occupant notification system in accordance with Section 907.4, 907.5 and 907.6 of the International Building Code.*

Additionally, the following is required for the Level 1 Alteration work based on Section 703 (i.e. 100% of work area):

**703.1 General**

*Alterations shall be done in a manner that maintains the level of fire protection provided.*

The existing area of work does not include a fire sprinkler system.

Based on the requirements noted above a fire sprinkler system is not required within the West Dining area since the area does not meet the occupancy classification mentioned within MSEBC Sections 804 and 703.

Fire Alarm

**804.4 Fire Alarm and Detection**

*An approved fire alarm system shall be installed in accordance with Sections 804.4.1 through 804.4.3. Where automatic sprinkler protection is provided in accordance with Section 804.2 and is connected to the building fire alarm system, automatic heat detection shall not be required.*

The code states that a building where a Level 2 Alteration takes place, and any of the criteria stated in MSEBC Sections 804.4.1 through 804.4.3 are met, that a fire alarm system is required.

Section 804.4.1 specifies code compliance based on occupancy classification. Group A-2 occupancies are not specified within the Section 804.4.1 list of occupancies which require fire alarm systems.

Section 804.4.3 specifies code compliance based on sleeping units within Group R and I-1 occupancies. Group A-2 occupancy does not meet fall under either of these occupancy classifications.

Section 804.4.2 specifies code compliance based on work area:

**804.4.2 Supplemental Fire Alarm System Requirements**

*Where the work area on any floor exceeds 50 percent of that floor area, Section 804.4.1 shall apply throughout the floor.*

The Level 2 alteration work does not encompass more than 50 percent of the work area.

Additionally, the following is required for the Level 1 Alteration work based on Section 703 (i.e. 100% of work area):

**703.1 General**

*Alterations shall be done in a manner that maintains the level of fire protection provided.*

It is Summit Fire Consulting's understanding that the existing building is provided with a fire alarm system; however, the area of work was not originally provided with a fire alarm system.

Based on the requirements noted above a fire alarm system is not required within the West Dining area since the area does not meet the occupancy classification mentioned



within MSEBC Sections 804 and 703. It should be noted however; that it is the Owner's intent to provide fire alarm notification appliances within the West Dining Room.

**Change of Occupancy**

As noted above, it is Summit Fire Consulting's understanding that the overall occupancy classification of the work area is not changed as part of this project (i.e. permitted as Restaurant/Dining). Chapter 10 of the 2015 MSEBC pertains to changes in occupancy. Section 1001.2 states the following:

***1001.2 Change in occupancy with no change in occupancy classification.***  
*A change in occupancy, as defined in Section 202, with no change of occupancy classification shall not be made to any structure that will subject the structure to any special provisions of the applicable International Codes, including the provisions of Sections 1002 through 1011, without the approval of the code official. A certificate of occupancy shall be issued where it has been determined that the requirements for the change in occupancy have been met.*

The fire protection requirements in Section 1004 reference compliance with Section 1012, where a building has undergone a *change of occupancy classification*. Because the overall classification of the work area is remaining unchanged (i.e. Group A-2, assembly), the fire protection requirements do not apply.

**CONCLUSION**

The majority of the work area within the West Dining consisted of Level 1 Alteration work (i.e. 100% of the work area), while the Level 2 Alteration work performed encompassed less than 50% of the work area. Based on code navigation included herein, an automatic sprinkler system and/or fire alarm system is not required within the area of work due to the percentage of Level 2 work performed and the lack of an existing sprinkler/fire alarm system within the area of work.

It should be noted that although a fire alarm system is not required by the 2015 MSBC or 2015 MSEBC, it is the Owner's intention to install a fire alarm system within the Restaurant and West Dining area (along with associated lobby spaces, etc). Further evaluation of the existing system must be done to specify fire alarm system installation requirements. Information regarding the fire alarm system requirements will be provided and compiled by Summit Fire Consulting for review and pricing/bid information. Fire alarm plans will be submitted to the City of St. Paul for final review and approval.

Please contact our office with questions.

Prepared by:

Natalie Buckman  
Fire Protection Consultant  
CET III, CFPS

Review by:

Christopher Leaver  
Division Manager  
Fire Protection Engineer



# **REQUEST FOR PROPOSAL** **FIRE ALARM & DETECTION SYSTEM**

## **SCOPE OF SERVICES**

### **PROJECT DESCRIPTION:**

The property owner of The Commodore Bar & Restaurant located at 79 Western Ave. N. in St. Paul, MN is requesting a proposal for the installation of a new fire alarm & detection system for the protection of spaces on the first level only of the property addressed. The purpose of the installation is to comply with an agreement with the City of St. Paul for additional active fire protection in the occupied space. Please note only areas specified in this Request for Proposal will be included in the area of coverage of the fire alarm & detection system. The fire alarm and detection system installation will be installed to the requirements set forth in the NFPA 72 National Fire Alarm and Signaling Code 2013 Edition, as well as any other applicable local, state, and federal statutes.

### **EXISTING SITE CONDITIONS:**

The Commodore Bar & Restaurant has an existing fire alarm and detection system installed exclusively for kitchen hood monitoring purposes. The existing fire alarm and detection system will be replaced as part of this project.

### **SCOPE OF WORK:**

The Scope of Work for this Request for Proposal includes the fire alarm and detection system design, permit application, installation, pretesting, final testing, final documentation and owner training.

The equipment and design criteria for the fire alarm and detection system included in this Request for Proposal include the following:

- One (1) Fire Alarm Control Panel; located in place of existing FACP
- One (1) Remote Annunciator Panel; located in front entry corridor
- One (1) Manual Pull Station; located in kitchen
- One (1) Monitor Module; located in the kitchen (kitchen hood)
- One (1) Heat Detector; located in the kitchen
- Eighteen (18) Smoke Detectors; locations listed below:
  - four (4) located in the banquet room
  - one (1) located in the men's restroom
  - one (1) located in the women's restroom
  - four (4) located in the main dining room
  - one (1) located in the bar
  - two (2) located in the bar sitting area
  - three (3) located in the entry corridor
  - two (2) located inside storage rooms
- Seven (7) Horn/Strobes; locations listed below:
  - one (1) located in the banquet room
  - one (1) located in the main dining room
  - one (1) located in the bar

- one (1) located in the bar sitting area
- one (1) located in the kitchen
- one (1) located in the entry corridor
- one (1) located on the building exterior
- Two (2) Strobes; locations listed below:
  - one (1) located in the men's restroom
  - one (1) located in the women's restroom

Alarm monitoring services for a duration of one (1) year will also be included as part of this project.

**CONTRACTOR RESPONSIBILITIES:**

The Contractor responsibilities shall include:

1. Licensing – contractor shall be licensed as required by the State of Minnesota to perform the scope of services herein.
2. Certifications – contractor shall be Fire Alarm Systems NICET certified to a minimum of Level II (or equivalent).
3. Professionalism – contractor and their employees shall conduct themselves in a professional manner while conducting work under this RFP
4. Equipment – contractor is responsible for providing, at their own expense, ladders, lifts, and other related equipment required to perform work under this RFP.
5. Permits – it is the responsibility of the contractor to obtain all permits required for inspection, testing, and maintenance services provided under this RFP.

**PROPOSAL PRICES:**

Proposers are advised that the proposal fee shall be all inclusive and fully burdened to accomplish the service as specified in this RFP. Prices are to include all applicable taxes and fees. Proposers shall provide pricing in an electronic format to John Rupp, [jrupp@commonwealthproperties.com](mailto:jrupp@commonwealthproperties.com)

**Larson Engineering, Inc.**  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com



**Larson**

February 7, 2017

Mr. John R. Rupp  
Commonwealth Properties Incorporated  
6 West Fifth Street  
Suite 900  
St. Paul, Minnesota 55102

**Re: Roof Joist Evaluation**  
79 Western Avenue N.  
St. Paul, Minnesota  
LEI Project No: 11170145.000

Dear Mr. Rupp:

On Wednesday February 1, 2017 I visited the above referenced location at your request to verify the existing steel roof joist capacity which is supporting a new plywood and gypsum board ceiling along with an existing RTU mechanical unit.

The existing steel joist are twenty four inches deep and spaced at forty eight inches on center. The joist span forty one feet and bear on a steel beam on each end. The existing mechanical unit and curb weighs 1000 pounds and is supported by two joist. The unit is located at the mid span of the steel joists.

The existing joist are structurally capable of supporting the new ceiling framing and the existing mechanical unit as they exist.

If you have any further questions regarding this report, please call to discuss.

Sincerely,  
Larson Engineering, Inc.

Douglas R. Hughes PE-MN  
Department Manager

DSI plan review received 4 sets of plans today 4/10/2018 with revisions for the project at 79 Western Ave N.

The plans will be forwarded to Steve Ubl for comment and review before they are sent out to the field.

See notes in Amanda

79 WESTERN AVE N - University Club Restaurant / Bar / Meeting Rooms (1)
Process(10)
Document(3)
Comment(1)

Show counts

Number	In Date	Issued	Status
REM 00 B	2012-02-02	2012-08-30	Inspected

**4802 Architectural (C) Review - 79 WESTERN AVE N 55102-4601 12 017614 REM 00 B**

**Assigned User:** BLOOMJIM

**Reference:** 
**Inspection#:** 
**Priority:** 
**Status:** Closed

**Sign Off:** BLOOMJIM

**Comment:** F-2012-0308

**To Start:** 2012-02-02 12:00a.m.  
**To End:** 2012-03-23 12:00a.m.  
**Started:** 2012-02-03 9:10a.m.  
**Ended:** 2012-08-28 12:51p.m.  
**Base Start:** 2012-02-02  
**Base End:** 2012-03-23

**File1:**  Print Flag
 **File2:**  Scheduled
 **File3:**  Assign To-Do
 **Display Order:** 200
 **Discipline:** Res
 **Process RSN:**

**Attempt(2)**
**Checklist(14)**
**Memo**

Date	User	Comment	
2012-02-03 9:10:41	Skradski, John		Prelim
2012-08-28 12:51:35	BLOOMJIM		Approv
Apr 10, 2018 13:13:38	Willamette, Jam	Received 4 sets of updated plans and revisions for this project today from the designer of record.	On Hol

# INSPECTOR'S NOTES

07/26/2013: Framing/Structural - Verbal Order. major remodel of bar/restaraunt area. new floor framing in raised floor area. add additional support for beams carrying joists.

08/24/2015: Framing/Structural - Approved. metal stud framing at wheel chair lift and bathrooms by kitchen and kitchen office

09/22/2015: General Inspection - No Actions. meeting with owner John Rupp, licensing, zoning, HPC, fire inspector and senior building inspector Mike Palm to discuss requirements for temp occupancy approval-building permit needed for emergency exit from dining/ballroom work that is already done-trades finals needed

10/27/2015: Final Inspection - Corrections Required.

Check Spelling

Group

Reminder Date 2013-07-29 8:24:28



Remind Tank, David



Include?

Made On 2013-07-29 8:24:28

Made By Tank, David

Comment Date 2013-07-29 8:24:28

EXHIBIT

tabbles

R-19



OCCUPANT CLASSIFICATION  
(IBC Section 302)  
A-2 Restaurant  
S-2 Low Hazard Storage

OCCUPANT LOAD  
(IBC Table 1004.1.1)

A-2 Restaurant			
Area	Factor	Occupant Load	
North Lounge	851	15	57
North Bar	110	300	1
East Lounge	1187	15	79
Service	131	300	1
Lounge Bar	591	15	39
Lounge Bar	135	200	1
Dining	1328	15	89
Platform	179	15	12
Service	99	300	1
Kitchen	531	200	3
Existing Subtotal	5,142		283
West Dining	2,587	15	172
Total	7,729		455

S-2 Storage			
Area	Factor	Occupant Load	
Storage	41	300	1
Storage	95	300	1
Pantry	77	300	1
Storage	1109	300	4
Storage	99	300	1
Total	1,421		8

PLUMBING FIXTURES  
(IBC Table 2902.1)

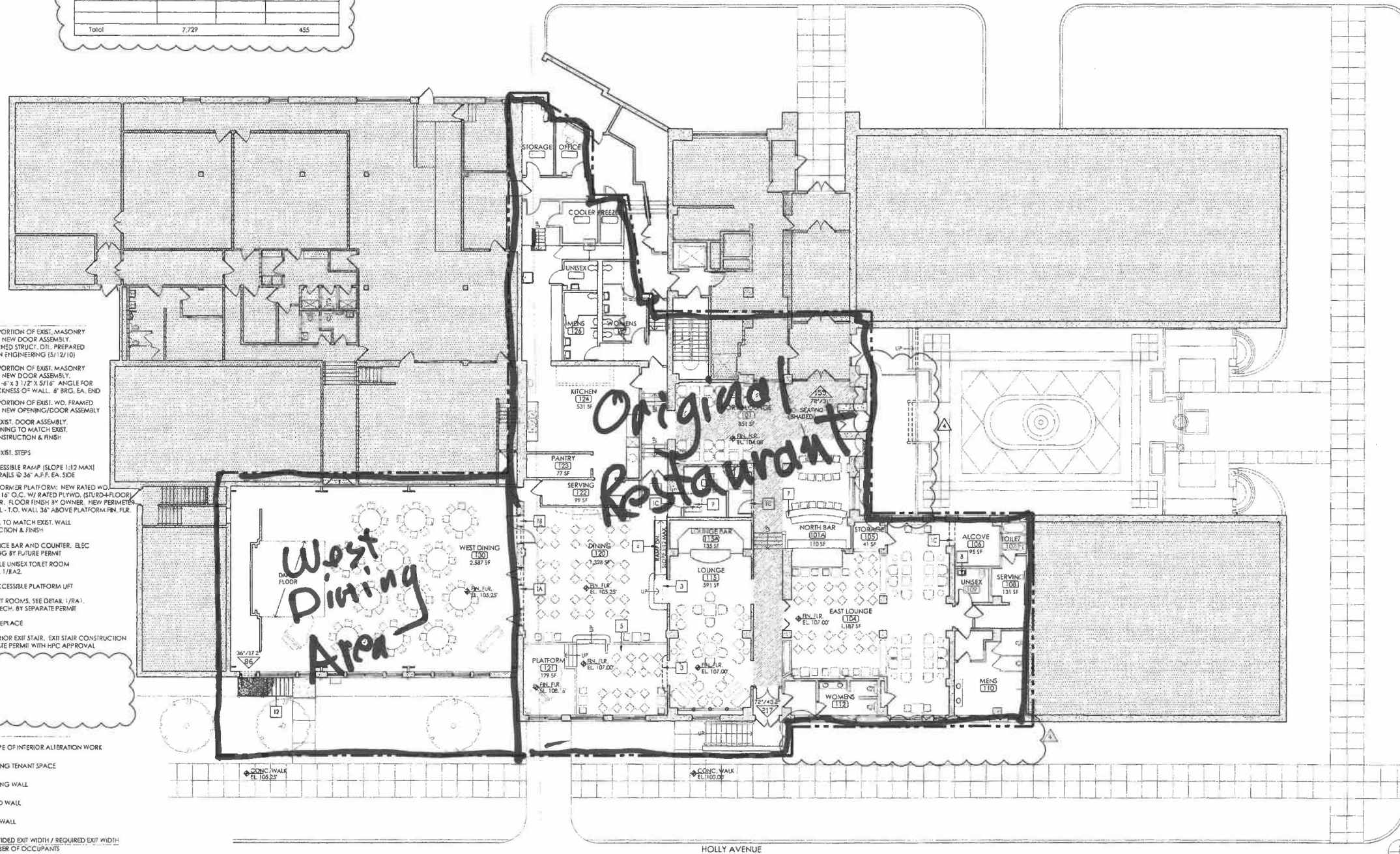
A-2 Restaurant				
	WC - Men	WC - Woman	Lav - Men	Lav - Women
Men @ 50% occ = 249	(1 per 75)	(1 per 75)	(1 per 200)	(1 per 200)
Women @ 50% occ = 249	3.3	3.3	1.2	1.2
S-2 Storage				
	WC - Men	WC - Woman	Lav - Men	Lav - Women
Men @ 50% occ = 4	(1 per 100)	(1 per 100)	(1 per 100)	(1 per 100)
Women @ 50% occ = 4	0.1	0.1	0.1	0.1
Total Required	3.4 = 4	3.4 = 4	1.3 = 2	1.3 = 2
Total Provided	7	8	5	6

KEY NOTES:

- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DET. PREPARED BY LARSON ENGINEERING (11/21/10)
- 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1'-6" x 3 1/2" x 5/16" ANGLE FOR EA. 4" THICKNESS OF WALL. 8" BRG. EA. END
- 1C REMOVE PORTION OF EXIST. WD. FRAMED WALL FOR NEW OPENING/DOOR ASSEMBLY. REMOVE EXIST. DOOR ASSEMBLY. INRILL OPENING TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 2 REMOVE EXIST. STEPS
- 3 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" A.F.F. EA. SIDE
- 4 RESTORE FORMER PLATFORM: NEW RATED WD. JOISTS @ 16" O.C. W/ RATED PLYWD. (STURD-FLOOR) SUB-FLOOR. FLOOR FINISH 3" CONCR. NEW PERIMETER BRKES WALL - T.O. WALL 36" ABOVE PLATFORM FIN. FLR.
- 5 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
- 7 NEW SERVICE BAR AND COUNTER. ELEC & PLUMBING BY FUTURE PERMIT
- 8 ACCESSIBLE UNISEX TOILET ROOM SEE DETAIL 1/18A2
- 9 FUTURE ACCESSIBLE PLATFORM LIFT
- 10 NEW TOILET ROOMS. SEE DETAIL 1/18A1. ELEC. & MECH. BY SEPARATE PERMIT
- 11 FUTURE PREPLACE
- 12 NEW EXTERIOR EXIT STAIR. EXIT STAIR CONSTRUCTION BY SEPARATE PERMIT WITH HPC APPROVAL
- 13 NOT USED
- 14 NOT USED
- 15 NOT USED

SYMBOL KEY:

- SCOPE OF INTERIOR ALTERATION WORK
- EXISTING TENANT SPACE
- EXISTING WALL
- DEMO WALL
- NEW WALL
- >48" symbol"/> PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH NUMBER OF OCCUPANTS



1ST FLOOR PLAN

REVISIONS  
DATE  
01 FEB 2012  
DRAWN  
B.L.F.  
CHECKED  
R.F.C.  
DATE  
03/09/2014  
JOB NO.  
74803.010

MECHANICAL CONSULTANTS  
(COMPANY NAME)  
City State Zip  
ELECTRICAL CONSULTANTS  
(COMPANY NAME)  
City State Zip  
CIVIL CONSULTANTS  
(COMPANY NAME)  
City State Zip  
STRUCTURAL CONSULTANTS  
(COMPANY NAME)  
City State Zip

Commonwealth Properties, Inc.  
500 N. 3rd Street, Suite 100  
St. Paul, MN 55102  
651.224.5845



RESTAURANT INTERIOR ALTERATIONS  
THE COMMODORE  
79 WESTERN AVENUE  
ST. PAUL, MINNESOTA

SHEET TITLE: FLOOR PLAN  
A1



- SYMBOL KEY:
- △ 41 NUMBER OF OCCUPANTS
  - 36/742 PROVIDED EXIT WIDTH / REQUIRED EXIT WIDTH
  - NEW WALL
  - DEMO WALL
  - EXISTING WALL
  - EXISTING TENANT SPACE
  - SCOPE OF INTERIOR ALTERATION WORK

- KEY NOTES:
- 1A REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. SEE ATTACHED STRUCT. DETL. PREPARED BY LARSON ENGINEERING (5/17/10)
  - 1B REMOVE PORTION OF EXIST. MASONRY WALL FOR NEW DOOR ASSEMBLY. PROVIDE 1'-4" X 3 1/2" X 5/16" ANGLE FOR EA. 4" THICKNESS OF WALL. 6" BRG. EA. END
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  - 2 REMOVE EXIST. DOOR ASSEMBLY. WALL OPENING TO MATCH EXIST.
  - 3 REMOVE EXIST. STEPS
  - 4 NEW ACCESSIBLE RAMP (SLOPE 1:12 MAX) W/ HANDRAILS @ 36" A.F.F. EA. SIDE
  - 5 RESTORE FORMER PLATFORM: NEW RATED W/ FLOORS @ 16' C.C. W/ RATED (5/18/10) SUBLOC. FLOOR FINISH BY OWNER. NEW PERIMETER KNEE WALL - 10' WALL 36" ABOVE PLATFORM FIN. FLR.
  - 6 NEW WALL TO MATCH EXIST. WALL CONSTRUCTION & FINISH
  - 7 NEW SERVICE BAR AND COUNTER, ELEC & PLUMBING BY FUTURE PERMIT
  - 8 ACCESSIBLE UNisex TOILET ROOM SEE DETAIL 1/R/2
  - 9 FUTURE ACCESSIBLE PLATFORM LIFT SEE DETAIL 1/R/2
  - 10 NEW TOILET ROOMS SEE DETAIL 1/R/1 ELEC. & MECH. BY SEPARATE PERMIT
  - 11 FUTURE HIREPLACE
  - 12 NEW EXTERIOR EXIT STAIR. EXIT STAIR CONSTRUCTION BY SEPARATE PERMIT WITH HFC APPROVAL
  - 13 REMOVE & REPLACE EXIST. CONC. STEPS. ADD NEW PERMIT WITH HFC APPROVAL
  - 14 NEW DINING TERRACE. TERRACE CONSTRUCTION BY SEPARATE PERMIT WITH HFC APPROVAL
  - 15 FUTURE PLATFORM & GREEN ROOM

A-2 Restaurant

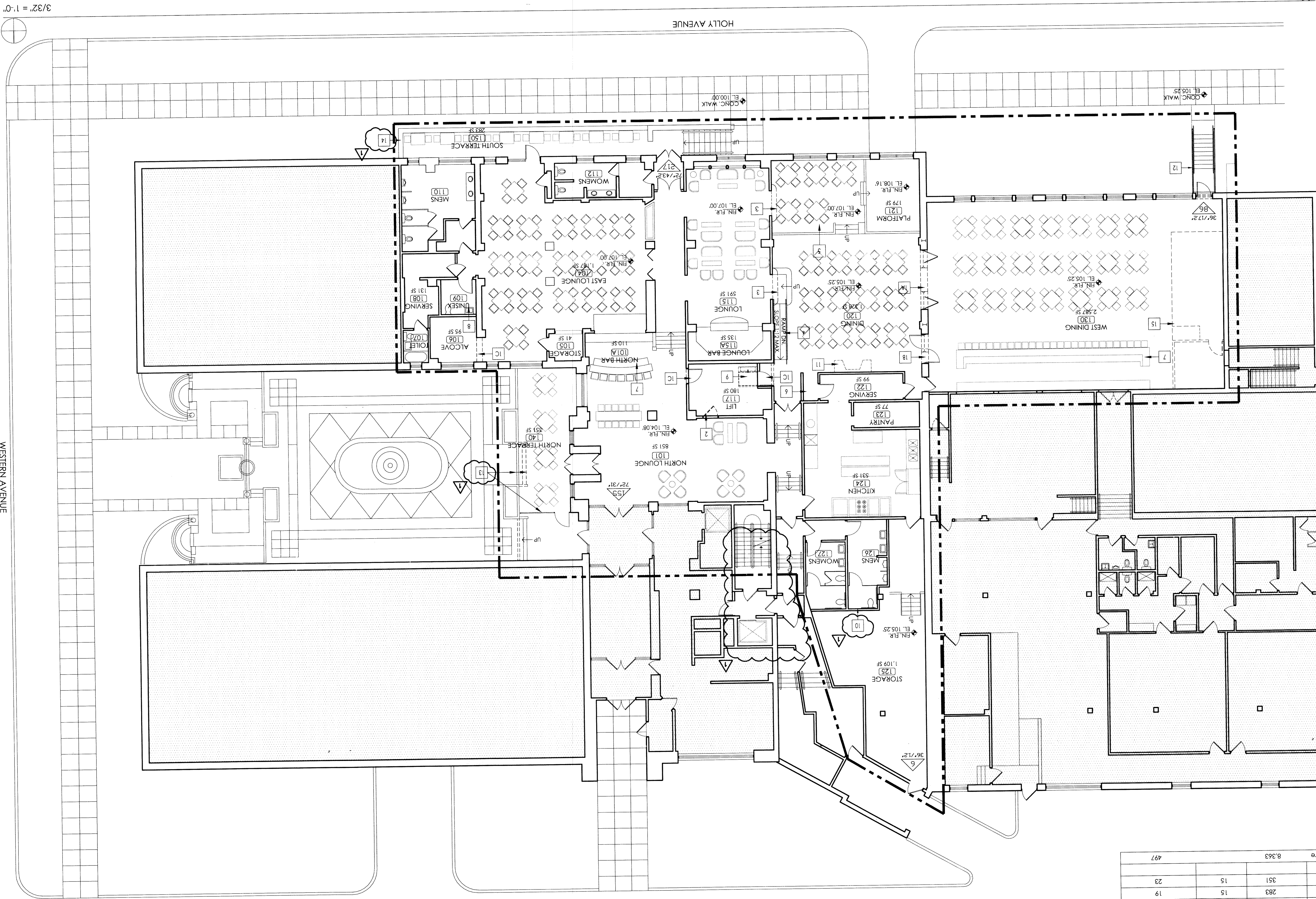
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Lounge	15	39
Lounge Bar	200	1
Dining	1328	89
Platform	179	12
Service	300	1
Kitchen	531	3
Existing Subtotal	5,142	283
Future West Dining	2587	15
South Terrace	283	19
North Terrace	351	15
Total Existing + Future	8,363	497

S-2 Storage

Area	Factor	Occupant Load
Storage	41	1
Storage	95	1
Storage	300	1
Storage	300	1
Storage	1109	4
Storage	300	1
Storage	99	4
Total	1,421	8

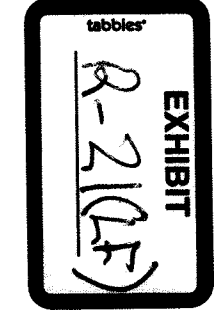
PLUMBING FIXTURES (IBC Table 2902.1)

Category	Men @ 50% OCC =	Women @ 50% OCC =	Total Required
A-2 Restaurant	249	249	498
WC - Men	(1 per 75)	(1 per 75)	3.3
WC - Women	(1 per 75)	(1 per 75)	3.3
Lav - Men	(1 per 200)	(1 per 200)	1.2
Lav - Women	(1 per 200)	(1 per 200)	1.2
S-2 Storage	4	4	8
Men @ 50% OCC =	4	0.1	4.1
Women @ 50% OCC =	0.1	4	4.1
Total Required	3.4 = 4	3.4 = 4	6.8



3/32" = 1'-0"

SHEET NO. **A1**  
 RESTAURANT INTERIOR ALTERATIONS  
**THE COMMODORE**  
 79 WESTERN AVENUE  
 ST. PAUL, MINNESOTA



Competitive Architects, Inc.  
 1000 Hennepin Avenue, Suite 900  
 St. Paul, MN 55102  
 651.224.5945

CIVIL CONSULTANTS  
 (COMPANY NAME)  
 (City, State, Zip)  
 (Phone)

MECHANICAL CONSULTANTS  
 (COMPANY NAME)  
 (City, State, Zip)  
 (Phone)

I hereby certify that this data was prepared by me or under my direct supervision and that I am a duly Licensed Architect/Engineer under the laws of the State of Minnesota.  
**Patrick F. McGuire**  
 Patrick F. McGuire Reg. No. 2933  
 Date: 00 JAN 2000

DATE: 01 FEB 2012  
 DRAWN: B.L.F.  
 CHECKED: P.F.M.  
 JOB NO.: 74833.010

REVISED: 3/17/2012

# INSPECTOR'S NOTES

07/26/2013: Framing/Structural - Verbal Order. major remodel of bar/restaraunt area. new floor framing in raised floor area. add additional support for beams carrying joists.

08/24/2015: Framing/Structural - Approved. metal stud framing at wheel chair lift and bathrooms by kitchen and kitchen office

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10/27/2015: Final Inspection - Corrections Required.

Check Spelling

Group

Reminder Date 2013-07-29 8:24:28

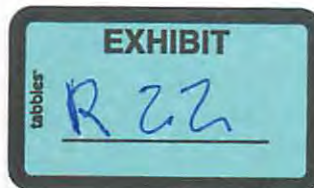
Remind Tank, David

Include?

Made On 2013-07-29 8:24:28

Made By Tank, David

Comment Date 2013-07-29 8:24:28





**Larson Engineering, Inc.**  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com



February 7, 2017

Mr. John R. Rupp  
Commonwealth Properties Incorporated  
6 West Fifth Street  
Suite 900  
St. Paul, Minnesota 55102

**Re: Roof Joist Evaluation**  
**79 Western Avenue N.**  
**St. Paul, Minnesota**  
**LEI Project No: 11170145.000**

Dear Mr. Rupp:

On Wednesday February 1, 2017 I visited the above referenced location at your request to verify the existing steel roof joist capacity which is supporting a new plywood and gypsum board ceiling along with an existing RTU mechanical unit.

The existing steel joist are twenty four inches deep and spaced at forty eight inches on center. The joist span forty one feet and bear on a steel beam on each end. The existing mechanical unit and curb weighs 1000 pounds and is supported by two joist. The unit is located at the mid span of the steel joists.

The existing joist are structurally capable of supporting the new ceiling framing and the existing mechanical unit as they exist.

If you have any further questions regarding this report, please call to discuss.

Sincerely,  
**Larson Engineering, Inc.**

Douglas R. Hughes PE-MN  
Department Manager



**John M. Miller**

---

**From:** Perucca, James (CI-StPaul) <james.perucca@ci.stpaul.mn.us>  
**Sent:** Monday, May 14, 2018 3:37:54 PM  
**To:** John R. Rupp  
**Subject:** RE: Fire Inspection for 79 Western - Commodore Bar and Restaurant

Good Afternoon Mr. Rupp,

Due to the current litigation concerning the property at 79 Western Ave, I have been instructed not to schedule inspections until instructed by the Department of Safety and Inspections administration.

If you have any questions, please contact Assistant City Attorney Therese Skarda at 651-266-8755 or therese.skarda@ci.stpaul.mn.us .

Sincerely,

Jim Perucca, CFI  
Fire Safety Inspector III  
City of Saint Paul  
Department of Safety and Inspections  
651-266-8996

-----Original Message-----

**From:** John R. Rupp [mailto:JRRupp@commonwealthproperties.com]  
**Sent:** Friday, May 11, 2018 1:11 PM  
**To:** Perucca, James (CI-StPaul) <james.perucca@ci.stpaul.mn.us>  
**Subject:** FW: Fire Inspection for 79 Western - Commodore Bar and Restaurant

Good Afternoon Mr. Perrucca

Please schedule the above property for a fire inspection associated with my occupancy permit.  
FYI - I have attached an analysis of the requirement for a sprinkler system for your review, that concludes one is not required. .

As the report also stated, I am not required to install an alarm system, but I have agreed to do so after your department concurs that the sprinkler system is not required. I have included proposed specs for your review and approval before I have the work bid.

Thank you for your help

