

**LICENSE HEARING MINUTES**  
**Slate Billiard Club LLC, d/b/a same, 755 Prior Avenue N, Suite #002A**  
**Monday, March 6, 2023 at 10:00 AM**  
**Room 330 City Hall, 15 Kellogg Boulevard West**  
**Nhia Vang, Legislative Hearing Officer**

The hearing was called to order at 9:57 AM

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI) Licensing Inspector

Licensee: Joshua Burbul, Applicant/Managing Partner

License Application: Pool & Billiard Hall license

Other(s) Present: Herbert Dupaul, resident and property owner of 1932 Chelton Avenue W, St Paul, MN 55104; Tom Colten, resident and property owner of 1928 Chelton Avenue W, St Paul, MN 55104.

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a license application. This license application required a Class N notification to inform neighbors and the District Council about the application and provide them with an opportunity to submit comments. The city received correspondence of concern/objection, which triggered this hearing. Also received was an email of support from the district council.

The hearing will proceed as follows: DSI staff will explain their review of the application and state their recommendation. The applicant will be asked to discuss their business plan. Members of the community will be invited to testify as to whether they object to or support the license application. At the end of the hearing, the Legislative Hearing Officer will develop a recommendation for the City Council to consider. The recommendation will come before the City Council as a resolution on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

There are three possible results from this hearing: 1) a recommendation that the City Council issue this license without any conditions; 2) a recommendation that the City Council issue this license with agreed upon conditions; or 3) a recommendation that the City Council not issue this license but refer it to the city attorney's office to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

Jeff Fischbach, Department of Safety and Inspections (DSI) gave a staff report for licensee Slate Billiard Club LLC (License ID# 20230000170), d/b/a same, located at 755 Prior Avenue N, Suite #002A. The application is for a Pool & Billiard Hall license. DSI is recommending approval with one license condition:

1. License holder acknowledges that under Section 322.03 of the Saint Paul Legislative Code this establishment shall be closed between the hours of 12 a.m. (midnight) and 7 a.m.

The District Council 11 - Hamline Midway Coalition submitted an email of support. Building is in process; License is approved; and Zoning is approved.

Ms. Vang noted the change in use for the space and asked about the status of the building permit.

Mr. Fischbach: He believes that the building permit is approved. The applicant may be waiting to pay for it until after the hearing.

Ms. Vang asked Mr. Burbul to talk about the business: history, hours of operation, number of employees, etc.

Mr. Burbul: This is a private training location for pool players. He is one of four owning partners. They all have history in the billiards community. The business will have a limited number of people with the max occupancy of around 70. The membership will be built around that. Not all members will be there at once and will pay a monthly fee. Members are vetted, interviewed, and accepted. The place is not just open to walk-ins. There won't be alcohol or food. As for opening, they are going to be opening in stages. The first couple years will only have 6 tables for maybe 20 people max. They're opening it because they do train professionally. One partner trains nationally out of his house currently, so this would be a professional space for that purpose.

Ms. Vang asked how long a membership agreement is good for.

Mr. Burbul: Memberships are month-to-month; many members will pay yearly since a discount will be given.

Ms. Vang: Can members come whenever it's open or do they need appointments?

Mr. Burbul: Members can access whenever the business is open, 7 am – 12 am, without appointment.

Ms. Vang asked about the site plan, and how many tables would be used as the business opens more.

Mr. Burbul: After two years, the plan is to expand to 15 tables or so. Not all the space will be used. They considered leasing just part of the space but then they would have had to put a wall up per building code requirements and the owners didn't want to do that.

Mr. Fischbach: The original proposal did involve a lease agreement that just had the applicant renting part of the space per the site plan. That was not allowed without an interior wall being built. The lease had been changed to cover the entire space, even if it not all portions are used. The license will cover the full space as well.

Ms. Vang asked about access and security.

Mr. Burbul: There will be code access to get inside. They will have cameras in their space and in the hall if need be. They want to make sure everyone is safe.

Ms. Vang: Is there a waiting area?

Mr. Burbul: No. Paying members can just walk in.

Ms. Vang asked about staffing.

Mr. Burbul: It's just me running it. Also, regarding parking, the entire building has 421 parking spots between surface and underground parking.

Ms. Vang next invited other attendees to testify.

Mr. Herbert Dupaul, resident and property owner of 1932 Chelton Avenue W, St Paul, MN 55104.

Mr. Dupaul: He does not see why they have to subsidize the business for parking in his neighborhood. Lots of people that go to this area park in his neighborhood. His house is the very first one they park at after turning onto Chelton. He's also not in favor of having a pool hall. The applicant gave him a call and it's a private club, but his concern is that it will just add to the problem. He does not see how it will be confined to about 50 people. Another thing about parking, along Prior from Pierce Butler to University, there is no allowed parking on the west side of the street, and sometimes there are 12 vehicles parked there or in other places where parking isn't allowed. This creates really bad visibility. And the cops never give them a ticket. I've called the police department about this. This business will add to the parking concerns, regardless of the parking spaces the building has.

Mr. Fischbach: He stated that two or three years ago, the city eliminated minimum parking requirements for businesses.

Mr. Dupaul: He was told that as well.

Ms. Vang asked Mr. Fischbach to review how the city handles illegal parking.

Mr. Fischbach: Street parking violations are handled by the police department. The police do coordinate with the license manager. If there is ever a concern related to licensing, they let the department know.

Ms. Vang then gave Mr. Burbul the opportunity to respond, asking if any parking spots are specifically for this business.

Mr. Burbul: The spots are building wide. He will make sure everyone who joins is aware of the building-provided parking to ensure they don't park on the street.

Ms. Vang: Are there any other businesses there open until midnight?

Mr. Burbul: Yeah. Can Can Wonderland I think, and Flannel Jack's.

Ms. Vang: She encouraged him to see what parking is like in the building around midnight for those places, just to get an idea for how much space will be available.

Mr. Burbul: He also wants to be clear that this will not be operated as a conventional pool hall. It's a private club. That's just how the license is named based on city code. This business is not open to the public like a typical pool hall.

Ms. Vang next invited the other attendee to testify:

Mr. Tom Colten, resident and property owner of 1928 Chelton Avenue W, St Paul, MN 55104.

Mr. Colten: He does not have a lot to add. He does not know what Black Stack's capacity is, but they fill up the neighborhood. They already have to deal with drunks leaving at midnight. He is glad this isn't a pool hall because that involved gambling and fighting. As for parking, many of the building spaces are taken up by electric vehicle parking from the State. He is concern about the whole complex going from manufacturing to retail and other businesses. The neighborhood just can't handle the parking. A lot of the illegal parking needs to be addressed. If his customers are told, they probably won't park illegally, but also if it was enforced, the crowds might be lower. He knows that the business probably won't have 70 people in there at once but that much capacity causes concern.

Mr. Fischbach: This is just the maximum number per the city's fire code.

Mr. Burbul: He does not anticipate more than four people per table, and it will usually be two.

Mr. Fischbach: He asked if Mr. Colten was aware that this residential area have permit-only parking. He is aware that the process costs money, but neighbors will have to petition the city for that.

Me. Colten: They don't have permit-only parking.

Ms. Vang: She stated that if he would like a parking study done, licensing staff can send him a link to Public Works to get that going. There is a petition required with cost, but her office will get them the necessary information. Regarding other businesses and the whole development, that is outside her scope, but she will share Mr. Colten's concerns with the councilmember for Ward 4.

Mr. Burbul: Of his 50 members, he knows all of them personally and they have a good relationship. If someone causes a problem, he can talk to them or remove them as a member. It's also not cheap to join the club so that helps keep bad actors out.

Ms. Vang: She stated that the city uses a complaint-based system so any complaints should be reported to either the police non-emergency number or DSI. There can't be any enforcement action taken if the city is not made aware of a violation.

Mr. Burbul: It is also worth noting that the building owner did say they were looking at purchasing more property for parking.

Ms. Vang stated that after reviewing the records and testimonies from all parties, she will recommend to the City Council that they approve the license with the following agreed-upon condition:

1. License holder acknowledges that under Section 322.03 of the Saint Paul Legislative Code this establishment shall be closed between the hours of 12 a.m. (midnight) and 7 a.m.

The hearing adjourned at 10:33 AM.

The conditions affidavit was signed on February 17, 2023, and submitted on March 6, 2023.