

LICENSE HEARING MINUTES
Stone Saloon SBC, dba Waldmann, 445 Smith Avenue N
Thursday, July 27, 2017, 11:00 a.m.
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 11:00 a.m.

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

Applicant: Thomas Schroeder, Applicant/Owner

Others Present: See attached sign-in sheet.

Stone Saloon SBC dba Waldmann: Malt-On Sale (Brewery Taproom), Malt-Off Sale (Brewery), and Entertainment (A)

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns. The City received a letter of concern/objection which triggered the hearing. There were three possible results from this hearing: 1) recommend the City Council issue this license without any conditions; 2) recommend the City Council issue this license with agreed upon conditions; or 3) recommend the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge. The applicant will be required to sign a Conditions Affidavit demonstrating the understanding of the conditions.

DSI staff will explain their review of the application and state their recommendation. Ms. Vang said she will then ask the applicant to discuss their business plan. At the end of the hearing, she will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Mr. Fischbach stated that when this license was originally sent out for notification, there was an additional condition that is not listed here that stated no off-street parking shall be provided on the site. When they originally got the zoning approval for the establishment of this use, that condition was on there but they subsequently went back to the Planning Commission and they got approval for allowing one (1) handicap parking space to be located on the property. So the conditions for this hearing reflect the conditions the way they should be and are as follows:

CONDITIONS #1 - 2 PER ZONING HISTORIC USE VARIANCE #15-143784:

1. Maintain the required 6 off-street parking spaces at all times (currently located at 444 W. 7th Street) and proof of the existence of the required parking must be provided to the city upon request.
2. Any expansion of this use (e.g. building additions or outdoor patios) shall require separate historic use variance application and approval.

ADDITIONAL LICENSE CONDITIONS:

3. No alcohol sales and/or service (i.e., beer) is allowed outdoors without prior written approval and additional licensing from the Department of Safety and Inspections (DSI).
4. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment" (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

The West Seventh/Fort Road Federation District Council submitted a recommendation after the response deadline indicating that given the location of the business, it will have little or no negative impact on the surrounding neighborhood and will be a great addition to the community. (*Email from district council is made a part of this record.*) Building permits were still in process. Zoning and licensing were recommending approval with conditions.

Ms. Vang asked if Mr. Schroeder had any questions about the conditions placed on his license application and he responded that he understood and was in agreement with the conditions on the license. He stated this is an unusual property and an unusual business plan. As the city's oldest surviving commercial property and only surviving Civil War era saloon in the twin cities, he is trying to create a historically themed tap house and Restaurant that is consistent with the original use of this property. It was built in 1857 and originally used as a beer saloon. Waldmann was its original proprietor. His hours of operation would be 11:00 a.m. to 11:00 p.m. seven days/week. The restoration has taken over eight years and at significant expense and was subject to HPC design review. With regards to possible noise issues, Mr. Schroeder stated there is an elaborate HVAC system so all double-pane windows will be closed during business hours. He intends to have occasional musical performances, such as acoustic guitar once or twice a week. He stated he does not intend to ever apply for a food truck permit in front of the building. To prevent brewing odors, a special system was installed that condenses the steam into water with pipes directing steam to run down to the floor drain. Limited parking for customers will be available in a triangle lot immediately adjacent to Bad Weather Brewing's parking lot with six stalls with a seventh offset for a bike rack. Additional parking is also available in front of the building on Smith Avenue. There is appropriate security lighting and Mr. Schroeder intends to work with his neighbors to make sure snow plowing in the winter is taken care of. Mr. Schroeder also stated that he lives with his family about 300 feet from this structure and that he intends to be a good neighbor.

Mr. Schroeder currently has a Temporary Certificate of Occupancy (C of O) for everything except the kitchen area. The kitchen equipment is on order and a final sign off on the plumbing is all that remains for the kitchen C of O.

Bob O'Keefe, 235 Goodrich Avenue, spoke at the hearing saying his concern was amplified music. After speaking to Mr. Schroeder, Mr. O'Keefe has been reassured that his issue has been resolved. He also stated that Bad Weather Brewery has been a good neighbor and he is confident

that the Stone Saloon will be a good neighbor also. *(Mr. O’Keefe’s email is also made part of the record.)*

Dick Haus, 444 Smith Ave N., spoke at the hearing and said his biggest objections were the late hours and safety concerns. He lives directly across the street from the Stone Saloon. The alley is pretty dark. *(Mr. Haus shared photos of the alley from his mobile phone; photographs were sent via email on 7-28-2017 and were made part of the record.)* He also has a concern and there were a few other issues in his e-mail that Mr. Schroeder has already addressed. *(Mr. Haus and Ms. Anna Kobett’s email is made part of this record.)*

Becky Just, President of District 9 Council, spoke about this license application being discussed at their district council meeting. At the meeting, Mr. Schroeder addressed all concerns and questions thoroughly, including walking them through the business plan. Everybody was very supportive of the plan. Ms. Just stated that she is also a neighbor and lives on Goodrich Avenue. She feels fortunate to have someone like Mr. Schroeder moved into the neighborhood who noticed the site and who has done such a fabulous restoration job. She believes that Mr. Schroeder’s business is going to be a quality enterprise and would make West 7th really unique and viable for the city.

Naomi Austin, 90 Garfield Street, stated that she is a member of Little Bohemian Neighborhood Association. The Association is excited and fully supports this operation. What Mr. Schroeder is doing is amazing for the building and the neighborhood: “It classes up the joint. It is the equivalent of Firebaugh’s.” Ms. Austin also stated that she lives right outside of downtown and does not see the parking situation as being any different than events at the Xcel Energy Center. A lot of people will walk a mile not to pay for parking so this tiny little pub is not going to make that much difference with all the other events that go on. “What Mr. Schroeder is doing for the neighborhood is fantastic!”

Jim Sazevich stated that he lives directly across the street from the Stone Saloon. He is a city historian and is excited about the preservation of this project. He is emotionally invested like other people in this city who are interested in what Mr. Schroeder is doing. Mr. Sazevich loves the neighborhood and understands and respects his neighbor’s stated objections; however, he would like to share why he is speaking in support of Mr. Schroeder. For 35 years, Tom Schroeder has lived as his neighbor. Mr. Schroeder is the best and not only has he been a good neighbor, he’s been a leader in the neighborhood. Mr. Schroeder has been fighting for Saint Paul’s history, donating hundreds of hours of his time helping to preserve not only great buildings, but a little building that most would think too insignificant to save. Preservation of old buildings is the heart and soul to Uppertown. This building speaks to that heart and soul. It goes back to the very beginning of the neighborhood. Mr. Schroeder sits there modestly today while raising three beautiful daughters in the inner city; they are all productive members of our society. He bought an old drug house where he and his wife walked through the house picking up needles when they moved in. Mr. Schroeder continues to be a leader and continues to be an example for everyone in the neighborhood. “Do more good things with what you have.” Mr. Sazevich wishes he could live another 25 or 50 years to see the success of Mr. Schroeder’s project; he may likely see some success but would love to see Mr. Schroeder’s efforts spark interests in preservation all around the city. All the other neighborhoods in the city need these special

places. Mr. Sazevich expressed his love for Mr. Schroeder and his family and ended his testimony by expressing his love for his neighborhood and his love for this city.

Mary Bishop, 192 Goodrich, spoke about Mr. Schroeder's leadership and the wonderful project that Mr. Schroeder is working on. She goes on to state that people from all over want to know what's happening with Mr. Schroeder's project. Given that there has been little press, people who live nearby and outside have noticed Mr. Schroeder's project as they drive through the neighborhood. She is in full support.

Suzanne Zahorski, 457 Smith Avenue N, stated that she has just purchased her home that was the former Waldmann home. Part of her decision to purchase the property was directly tied to Mr. Schroeder's project and likes the idea of being able to walk to places that she enjoys. She, like many others, are in support of the project. She is appreciative of Mr. Schroeder reaching out to her several times to make sure that his project was not encroaching or to answer any questions she or her family may have, especially his willingness to work with them. As a former city planner, she appreciates what Mr. Schroeder is doing. She goes on to praise Mr. Schroeder for not only being a developer who happens to live in the city but one who invests in his own community. She ended her testimony by expressing how lucky she is to be living next door.

Abigail Zahorski, 457 Smith Avenue N, stated that she is Suzanne Zahorski's daughter and lives with her. She is in support of what Mr. Schroeder is doing to restore a little bit of history and find that what he is doing is inspiring to young people like her. She does not foresee the lighting situation to be an issue since she has, on occasion, traveled that route and hopes to be considered as a potential employee of Waldmann since she lives within walking distance and won't be taking up parking spaces.

Richard Miller, 242 Goodrich, testified that he is looking forward to lifting a brew at Waldmann's.

Mark Fangmeyer, 455 Banfil Street, stated that he co-chairs the Little Bohemian Association and believes that one of the key issues to giving the neighborhood its vitality is its history. He, like many community members, are very focused on preserving Saint Paul's history and see this project as a means of doing that. Many of the same concerns raised today were raised with Bad Weather when they first started and Bad Weather has turned out to be a fantastic neighbor. Like Bad Weather who reached out to the community very early in the process, Mr. Schroeder has done the same thing by taking the concerns of the neighbors into consideration. He concluded by indicating that he supports the tap room.

Ms. Vang read into the record an email from Anna Kobett, 444 Smith Ave N. (*Said email is made part of this record.*)

Ms. Vang read into the record an email from Joyce Boykin, 233 Goodrich Ave. (*Said email is made part of this record.*)

Ms. Vang read into the record two separate emails from Joann and Terrance Schreiner, no address. (*Said emails were made part of this record.*)

Ms. Vang stated that after reviewing the records and testimony presented, she will recommend to the City Council that they approve the license. She also advised Mr. Schroeder to continue to work with the community to resolve issues and to work with DSI to check into the current vacant building status and fees on the property.

The hearing adjourned at 11:55 a.m.

The Conditions Affidavit was signed and submitted on July 27, 2017.