



Artista Bottega, L.L.C 937 Seventh Street West, Saint Paul, MN 55102
651-493-0861 www.artbottega.com artistabottega@artbottega.com

Vicki Sheffer
Executive Assistant
Dept. of Safety & Inspections
375 Jackson Street Suite 220
Saint Paul, MN 55101 July 18, 2016

Dear Ms. Sheffer ,

We are John Davidson and Nance Derby-Davidson. We own the building at 941 West Seventh Street, two doors down from the proposed North Garden Theater Commercial Development District. We have owned the building for over twenty years, raising our daughter here. We have completely renovated the building, both the residential second level and the commercial first floor. The commercial space has been a retail space and gallery for local artists for the last two years. We have a vested interest in West 7th being both a commercial and residential success story.

We write today to urge the denial of the Commercial Development District for the proposed venture at 929 West Seventh Street, the North Garden Theater because of the full liquor license that will be granted to the property. We have no opposition to the serving of beer and wine, but the full bar service is problematic.

While we fully support development in our area and are also strong supporters of theatre in our city, it appears the North Garden Theater project will primarily be an event center and live music venue in order to fund the theater activities. We don't see this as appropriate for the livability of our mixed use zoned neighborhood. We would like to share our concerns regarding the potential ordinance to create a Commercial Development District for this venue.

We understand that the Ward 2, District 9 cap for liquor licenses has been reached. There is no question that this limit is the sole reason for the proposed Commercial Development District for this single property; to acquire an on sale liquor license. The Development District and the variances this developer has requested are little more than spot zoning. There is already one bar on this block only 125 feet from the property. West Seventh street already has a plethora of bars. A venue advertising they will have bands, no fixed seating, full bar service, security details, no restaurant service, patrons who purchase tickets, and an occupancy of 248 patrons has all the trappings of a nightclub.

The event and performance center aspect is also troubling as large groups of patrons will spill into the neighborhood when the events end with a detrimental effect on residents' livability. We feel compelled to point out that when we bought our building at 941 West Seventh Street twenty years ago, we checked on all zoning to make sure another bar or night club was not in our future. We were aware of Joe and Stan's, a neighborhood fixture since 1899, being down the block, but we thought we could rely on the City's liquor license limitations. Additionally, this nearby bar has always worked to be a good neighbor, always addressing concerns of nearby property owners.

The Fort Road/West Seventh District Council has a long standing commitment to promoting single family, owner occupied homes to counter the absentee landlords and urban blight that existed in the past in this area. On the side of the block that the property is located, there are seven buildings, this property being the only one without people living upstairs. The building across West Seventh Street at 929 is also residential on its second floor.

The proposed Commercial Development District - with a building covering 100% of the property - shares an alley with ten houses on Daly and Toronto Streets. Most of these homes are single family owner occupied, with property lines that are only feet away across a 17-foot alley. Close by across Daly street are both a school and a church, whose property is located only slightly more than 200 feet away, in violation of City Ordinance 409.06(n), which prohibits venues serving alcohol within 300 feet of the property line of a school or church.

Frankly this pocket of West Seventh Street is more residential than commercial. As the neighborhood is mostly residential we, just as you, value our quiet evenings. There are many families with young children in the neighborhood and working people who value a good night's sleep. We encourage the council to look at not only the level of soundproofing the building will need, but also consider the noise level in the alley when loading out events, bands, and catering service, along with the noise of up to 248 patrons exiting en masse late at night.

We are also very concerned with the impact of increased parking demands in our residential neighborhood. As many of the buildings on the block do not have off street parking, residents already struggle with limited street parking. A venue of this size would typically require 27 off-street parking spaces, but variances have been granted to eliminate all of those spaces. Thus, a building anticipating crowds of close to 250 patrons is being allowed to open with zero parking for its patrons. Given the very limited street parking available, the spillover will further impact the livability of our neighborhood. We have not been made aware of any ongoing or consistent contracted solution for parking for patrons of events at this property. Rumors have been circulating the arrangements are being pursued with nearby property owners, but none appear to have been finalized. Even if such arrangements are made, they are by nature temporary, with later property owners in no way obligated to continue any such agreement.

We implore you to consider those of us who have put down roots and renovated our buildings and homes and have been active in making West Seventh a safe and livable neighborhood and deny the Commercial Development District, or to pursue a solution that limits the venue to serving only beer and wine. Thank you for your consideration of our position.

Sincerely,

John and Nance Davidson