



Date: July 9, 2025

To: Planning Commission

From: Comprehensive and Neighborhood Planning Committee

RE: Energy Park Commercial Development District Expansion

Commercial Development Districts and Liquor Licensing

Commercial development districts (CDDs) are designated areas across the city—established by the City Council—that provide an exception to limits on the number of on-sale liquor license limits. Restrictions on liquor licenses and the process for establishing or expanding a CDD are specified in Secs. 17.07.1 and 17.07. of the City Charter specify, respectively, the process for establishing or expanding a CDD. As provided for in Sec. 17.07.1, Legislative Code Sec. 409.16 specifies additional procedural requirements for establishment/expansion of a CDD, including that **the Planning Commission must be “consulted for advice” regarding a proposed CDD’s “consistency... with the city’s comprehensive plan and zoning ordinances” and said advice provided in writing to the City Council.** Any establishment within a CDD is still required to meet on-sale liquor licensing requirements, which are specified in Chapter 409 of the Legislative Code more generally. Applicable portions of cited language from the City Charter and Legislative Code is included as Appendix A to this report.

Request to Expand the Existing Energy Park Commercial Development District

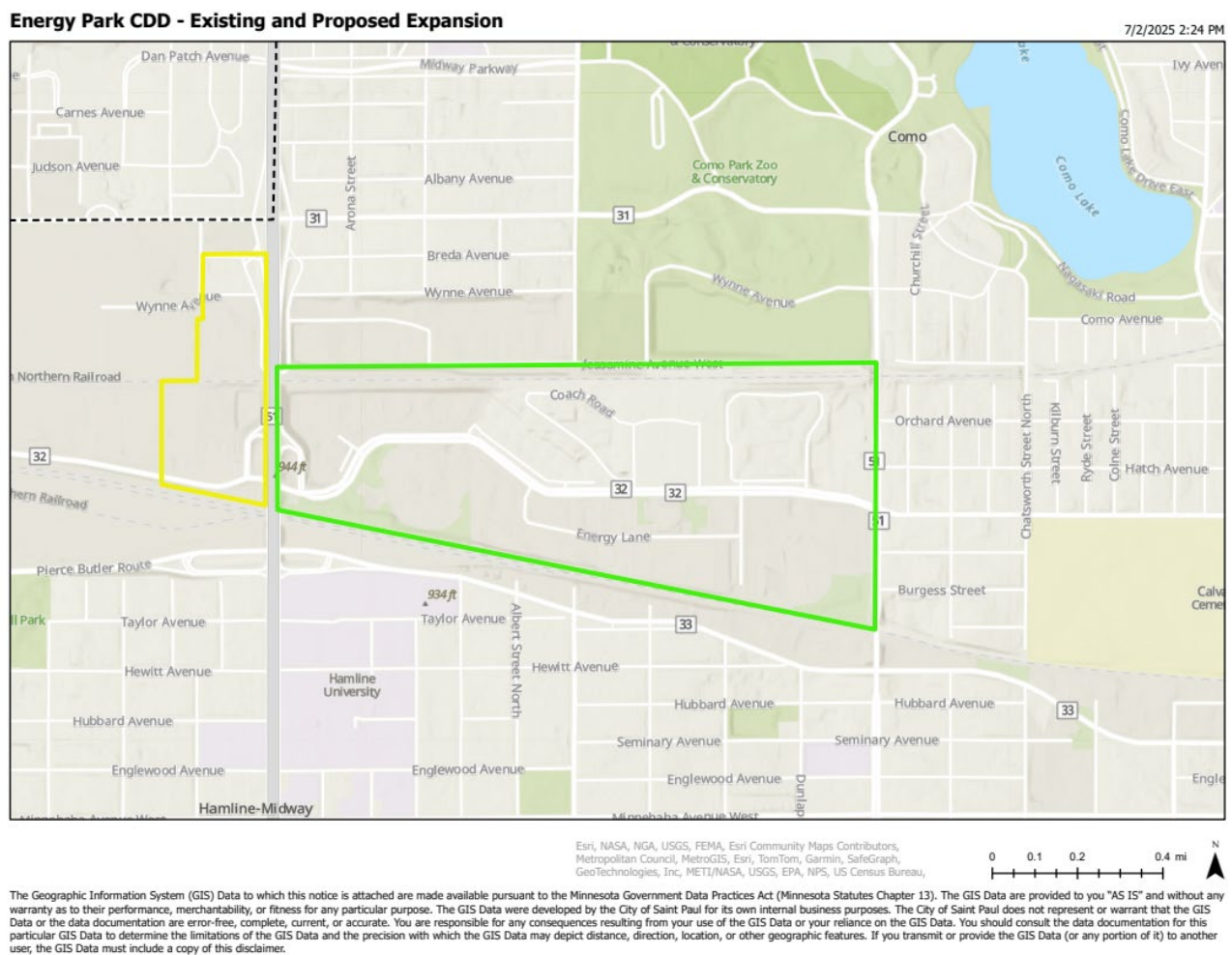
The Department of Safety and Inspections (DSI) has received a request from the would-be proprietors of Saint Bark, a proposed indoor dog park which would also serve beer, to be located at 1611 Wynne Avenue. The establishment would not qualify as a restaurant and therefore requires a standard on-sale liquor license—which in turn requires a location within a CDD—in order to serve beer. The would-be proprietors have stated that they currently intend to close at 8 p.m. (6 p.m. Sundays). Hours of operation can be specified as part of the licensing process.

There is no formal application for the proposed Energy Park CDD expansion. The purpose of a formal application for a CDD is to satisfy the requirement in Sec. 409.16 of the Legislative Code for a consent petition by surrounding property owners. The City Council may waive this requirement, which the Department of Safety has recommended in this case. The consent petition is unrelated to the required Planning Commission evaluation.

The existing Energy Park Commercial Development District encompasses the area between Lexington Parkway, Snelling Avenue, the BNSF railroad tracks (running WNW) to the south, and Jessamine Avenue W. to the north. The proposed expansion will, if approved by the Saint Paul

City Council, add an additional area bounded by the railroad tracks on the south as they continue west of Snelling Avenue, a line running north-south on the west side of properties at 1645 Energy Park Drive and 1085 Snelling Avenue North, and continuing along Winston Street on the west to Breda Avenue West on the north to the more northerly BNSF railroad tracks. See Figure 1 for proposed boundaries, existing district in green, proposed expansion in yellow. All parcels within the boundaries would be eligible to apply for an on-sale liquor license.

Figure 1.



Findings

1. The proposed expansion of the existing Energy Park Commercial Development District includes within its boundary multiple individual development parcels, including the property proposed to be developed as Saint Bark at 1611 Wynne. The proposed establishment is an indoor dog park that will serve beer and hard seltzer. No restriction on number of establishments eligible for licensing within the district is allowed per City Charter Sec. 17.07.2).

2. A commercial development district (CDD) is established or expanded to allow the application for and issuance of an on-sale liquor license where it would otherwise not be available. The proposed establishment is not a restaurant and not eligible for an on-sale license outside of a CDD.
3. Sec. 409.16 (c) of the Saint Paul Legislative Code states, “the planning commission must be consulted for advice concerning the proposals for consistency with the city's comprehensive plan and zoning ordinances, and the planning commission must report in writing to the city council its findings and recommendations”. Both the policies of the Comprehensive Plan and the existing land use and zoning are compatible with the proposed expansion of the Energy Park CDD:
 - a. Policy LU-6 (Land Use Chapter of the 2040 Saint Paul Comprehensive Plan) directs the City to “foster equitable and sustainable economic growth” by “growing Saint Paul’s tax base in order to maintain and expand public services” (LU-6.3) and by “supporting business, real estate and financial models that keep more money locally” (LU-6.6).
 - b. The properties within the existing and proposed expansion to the Energy Park Commercial Development District (CDD) are zoned I1 Light Industrial. Although uses within the CDD are more variable, the Comprehensive Plan guides continued industrial use through 2040 (see Map LU-2: 2040 Land Use, LU Chapter Appendix A, pg. 49). While the proposed establishment is not itself industrial in nature, it is compatible with the range of uses allowed in the I1light industrial district.
4. The Department of Safety and Inspections (DSI) is responsible for informing and coordinating City Council action regarding the establishment or expansion of a Commercial Development District. This includes, but it is not limited to, communication of the Planning Commission’s findings and recommendations regarding the proposed CDD expansion to the City Council.
5. For the proposed expansion of the Energy Park CDD, DSI is recommending to the City Council that the petition requirement be waived.

Committee Recommendation

Based on the forgoing analysis, the Committee finds that the proposed expansion of the Energy Park Commercial Development District is consistent with both the 2040 Sint Paul Comprehensive Plan and area zoning, and recommends advising the City Council of this conclusion.

Appendix A: City Charter and Legislative Code

Section 17.07.1 of the City Charter defines commercial development districts. Section 17.07.2 includes restrictions on liquor licenses for commercial development districts. Section 409.16 of the Legislative Code describes the process of creating new or amending existing districts. Relevant portions of these sections are excerpted below.

Charter Section 17.07.1. Commercial development districts; patrol limits.

1. A commercial development district in an area within the city as designated herein, or created by the council hereafter in accordance with this section. Six (6) commercial development districts are hereby created, whose names and defined boundaries are indicated on maps attached hereto as Exhibits 1 through 6, which are incorporated and adopted herein by reference. The council may by ordinance create new or additional commercial development districts, or amend the boundaries of those already created, only in accordance with the following procedures:

(a) The proposed commercial development district shall be submitted in writing, accompanied by a map setting forth its boundaries; and

(b) Reasonable public notice of the proposed commercial development district shall be given by the license inspector to residents and organizations in the ward or wards in which said district is to be located; and

(c) The council or a committee thereof shall hold a public hearing in the ward or wards in which said district is to be located; and

(d) After the foregoing steps, an ordinance designating the new commercial development district and defining its boundaries is adopted upon the affirmative vote of at least five (5) members of the council.

2. The council may by ordinance adopt additional procedural and substantive requirements for the creation or amendment of commercial development districts.

3. The entire land area in each council ward, which has not been made part of a commercial development district, is a separate liquor patrol limit.

Charter Section 17.07.2. Restrictions [Commercial Development Districts]

5. There shall be no limitation on the number of on-sale intoxicating liquor licenses which may be issued or renewed within, or transferred into, a commercial development district, except as set forth in paragraph (6) below. No restriction

applicable to such licenses in liquor patrol limits in this section shall apply to such licenses in commercial development districts.

6. Notwithstanding the provisions of any law or this Charter allowing the issuance of on-sale intoxicating liquor license, not more than two hundred fifteen (215) such licenses shall be issued by the city. Priority shall be given, by ordinance, in the issuance of all such licenses first to applicants who purchase an existing business having an "on sale" license with the intent of operating said business at the same location for at least one year thereafter, and then to restaurants capable of seating and servicing meals to not less than one hundred (100) guests at one time and then to hotels having dining rooms capable of seating and serving meals to not less than fifty (50) guests at one time, and thereafter as the council may determine.

Legislative Code Section 409.16

(a) Commercial development districts, as defined in section 17.07.1 of the City Charter, may be created or expanded by the filing in the office of the city clerk of a written petition therefor setting forth the boundaries of the expanded district, and containing the written consent of the owners of two-thirds of the several descriptions of real estate situate within the new or area of the expanded district, together with the written consent of the owners of two-thirds of the several descriptions of real estate situated within one hundred (100) feet of the new or expanded district, and after the affirmative vote in favor thereof by at least five (5) members of the city council.

(b) The city council may waive the requirements for consent signatures only if the city council determines that a hardship exists, and in such case the council may, on its own, initiate the process of creating or expanding a commercial development district. In such case, the affirmative vote of at least five (5) members of the city council is required to create or expand any such district.

(c) In all such cases, the planning commission must be consulted for advice concerning the proposals for consistency with the city's comprehensive plan and zoning ordinances, and the planning commission must report in writing to the city council its findings and recommendations.

(d) Upon receipt of the report of the planning commission, the council's committee designated to hear license matters must fix a date for public hearing to consider the petition or proposal to create or expand a commercial development district and afford an opportunity to all affected persons to be heard. The city clerk must cause notice of the hearing to be published once in the official newspaper of the city and mailed notice thereof must be given by the department of safety and inspections to all owners of land within the new or area of the expanded district. Published notice and mailed notice must be made at least twenty (20) days in advance of the public hearing.