

## LH-Licensing - 631 Snelling Ave. S. License Application Objection

**From:** "Casey Stephens" <cmstephens4@gmail.com>  
**To:** <lh-licensing@ci.stpaul.mn.us>  
**Date:** 5/17/2012 9:49 PM  
**Subject:** 631 Snelling Ave. S. License Application Objection

Legislative Hearing Officer  
 310 City Hall  
 15 West Kellogg Blvd.  
 St. Paul, MN 55102

Re: License Number: 20110002330  
 Application for: Add a Liquor-Outdoor Service Area (Patio) license to the existing Restaurant (3) – 13-50 Seats, Wine On Sale, and Malt On Sale (Strong) licenses  
 License at: 631 Snelling Ave. S.  
 Licensee: Joan's In The Park, doing business as same  
 Joanne Schmidt, co-owner, 651-690-3297

Dear Sir or Madam,

We are neighbors of Joan's In The Park located at 631 Snelling Ave. S. The alley directly behind this property runs alongside the east boundary of our home at 1594 Hartford Ave. Due to our proximity to the restaurant's patio, and the fact that we have two small children with early bedtimes, we are strongly opposed to the restaurant owners' request to add a liquor-outdoor service area license.

When we purchased our home, we did so knowing that Snelling Avenue is a high traffic, noisy street. We also understood the potential implications and concerns of living next to an alley way. However, it never occurred to us that there would be a restaurant less than 100 feet from our home serving liquor on an outdoor patio. Had it, we certainly would have sought an alternate house to raise our family.

We are glad to see a thriving business occupying the former Grandpa Tony's space. But an outdoor patio, with or without liquor, threatens our neighborhood's quality of life and our family's desire to enjoy peaceful, quiet, and restful evenings and nights. And we are not the only family with small children living within a very short distance from the proposed patio area.

As with most other oppositions to such a license, our strong concerns are of noise, time of the patio's operation, traffic and parking. However, ultimately, our primary concern is whether any permit allowing the use of the outdoor area could be "grandfathered" to a subsequent operation at the same location. Or, make it easier for a subsequent operation to obtain a liquor-outdoor service area license for greater than 50 seats and/or longer hours of outdoor operation.

We wish to continue to raise our family at 1594 Hartford Ave. And we wish to do so without a patio serving liquor located steps from our backyard.

Thank you for the opportunity to express our objections. We hope that they will be seriously considered.

Sincerely,

Tom and Casey Stephens  
 1594 Hartford Ave.  
 St. Paul, MN 55116

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Ms. Carruth,

I am writing regarding a recent application to add a liquor outdoor service area (patio) to the existing restaurant at 631 Snelling Ave South (Joan's in thePark). I have a couple of significant concerns about this proposal - the main one being parking (or lack thereof).

I have lived adjacent to this property for ~4 years and, until recently, it served as a mainly take out pizza restaurant (Grandpa Tony's). Since parking was not a major concern for Grandpa Tony's we had few concerns with their operation. Currently, however, even without the proposed additional seating, parking has become a significant issue. On any given night there are two or three vehicles parked in the area that is to become the new patio seating area (restaurant staff I presume). Since Joan's has no official parking lot patrons are required to park on the street, which has become significantly more congested since the property has changed hands. Now they propose to add capacity to their establishment without the slightest thought about where these additional patrons (and staff for that matter) will park. I find this more than a little troubling.

The second concern I have pertains to the outdoor liquor license. My concern (really a question) is whether this license would transfer to other owners should Joan's leave or sell the property. I do not anticipate any issue from Joan's on this front, but I can foresee a potential problem if this license were to pass to a different style of restaurant/ bar.

I don't know what can be done at this point. An initial flyer was sent to area residents by Joan's outlining their proposal and it received fairly consistent negative response. Obviously, Joan's is moving forward with their plan, so I am doubtful that much can be done. I would, however, like to register my concern over the proposed expansion. Thank you for your time.

Paul Kortebein/ Kristie Ellickson  
1597 Bayard Ave.

**LH-Licensing - Fwd: Joans in the Park - Add outdoor patio and liquor**

**From:** <marymulcahy@comcast.net>  
**To:** <lh-licensing@ci.stpaul.mn.us>  
**Date:** 5/7/2012 6:31 PM  
**Subject:** Fwd: Joans in the Park - Add outdoor patio and liquor  
**Attachments:** add in the flashing digital sign from Dominos.JPG; cars fill the street in front of my house.JPG; view from 1597 Bayard yard.JPG; view from my back yard.JPG; view of patio area from my front door.JPG; view of patio area from my yard.JPG; view of other alley business we look at.JPG

Attention: Legislative Hearing Officer

I am forwarding to you my comments sent to Mr. Tolvert and Mr. Fischbach to ensure that you have my statement in your record as you continue the process of approval for this request by Joan's in the Park.

I am opposed to this request by this restaurant. I will also add that at the District Council meeting we also found out there will be outdoor music playing for the outside dining area. For all of the reasons listed below and now this additional reason, I want you to know that I am opposed to this request by Joan's in the Park restaurant. Where do we draw the line with livability and enjoyment of our own property at the expense of a nearby business. There has been no consideration given to the neighbors and I am very disappointed to find that this process by your office is a "rubber stamp" of approval without regard to nearby neighbors.

When I moved into my house in 1987, the Dominoes Pizza restaurant was a business building, the large condo located on our alley was 2 small houses. Yes, I realize that neighborhoods change and grow, but unfortunately this new change will not be a positive one for our neighborhood.

Mary Mulcahy

**From:** marymulcahy@comcast.net  
**To:** ward3@ci.stpaul.mn.us, "jeffrey fischbach" <jeffrey.fischbach@ci.stpaul.mn.us>  
**Cc:** marymulcahy@comcast.net  
**Sent:** Monday, April 16, 2012 5:13:11 PM  
**Subject:** Joans in the Park - Add outdoor patio and liquor

Dear Mr. Fischbach and Mr. Tolvert:

This email is my response to the request for comments. I have attached photos of the area, the view of the proposed patio area from my front yard, the view of the proposed patio area from my back yard, the view from my neighbor's house, a picture of all of the cars that park on our street during evening hours/diners at Joan's, and a picture of the flashing digital signage of Dominoes Pizza on our same corner here at Bayard and Snelling. The pictures of Joan's shows the back side of the restaurant the dirt parking lot, 2 large blue dumpsters and a small asphalt section of their lot that faces Snelling Ave.

## **Vicki Sheffer - 631 Snelling Ave S - Joans in the Park - Add outdoor patio and liquor**

**From:** Jeffrey Fischbach  
**To:** Vang, Nhia  
**Date:** 4/25/2012 9:05 AM  
**Subject:** 631 Snelling Ave S - Joans in the Park - Add outdoor patio and liquor  
**CC:** Sheffer, Vicki  
**Attachments:** add in the flashing digital sign from Dominos.JPG; cars fill the street in front of my house.JPG; view from 1597 Bayard yard.JPG; view from my back yard.JPG; view of patio area from my front door.JPG; view of patio area from my yard.JPG; view of other alley business we look at.JPG

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Couldn't remember if I had sent you this.

>>> <marymulcahy@comcast.net> 4/16/2012 5:13 PM >>>

Dear Mr. Fischbach and Mr. Tolvert:

This email is my response to the request for comments. I have attached photos of the area, the view of the proposed patio area from my front yard, the view of the proposed patio area from my back yard, the view from my neighbor's house, a picture of all of the cars that park on our street during evening hours/diners at Joan's, and a picture of the flashing digital signage of Dominoes Pizza on our same corner here at Bayard and Snelling. The pictures of Joan's shows the back side of the restaurant, the dirt parking lot, 2 large blue dumpsters and a small asphalt section of their lot that faces Snelling Ave.

Please consider the fact that Joan's is right next door to our homes - this is not Grand Avenue and I don't want it to become Grand Avenue. This proposed patio will sit 20 feet from my neighbor's house at 1597 Bayard and 50 feet from my yard. I am opposed to this request.

We will have no privacy in our yards, no quiet when we come home at the end of the day when we might want to be outside enjoying our yards, and no quiet when we want to go to bed at night. We already have cars filling the street so we can't park in front of our own homes, we have 6 pizza delivery cars from Dominoes racing up and down the street with pizza delivery and they are open until 3am. So we have noise from the people that are stopping in at Dominoes late at night and "partying" in the parking lot, loud stereos from the cars, and the trash that blows into our yards and litters the street because Dominoes does not clean up their litter.

We already have all-day noise coming from the Custom Craft Upholstery business that is located on our alley (all day power saws, trucks coming and going, delivery trucks for Custom Craft and Joan's using our alley.)

The close proximity of Joan's patio to our homes means that we will have people sitting outside, eating, laughing, drinking, etc and we will have to listen to this whether we are inside our home or outside in our yard.

I was told years ago by Christine Rozek, that whenever Grampa Tony's was sold, the parking lot would have to be paved so the dirt and rocks don't fill the alley when it rains and snows. Obviously this did not happen, because the lot is still unpaved.

I would also like to point out the fact that the 2 large blue dumpsters in Joan's dirt parking lot sit closer to my neighbor's house at 1597 Bayard than to the restaurant itself. Do you know what this smells like in the summer time not to mention the fact they are unsightly?

I would like to ask you if you would like to have this restaurant patio virtually in your backyard? I would guess not.

In addition to the fact that not only has my property value gone down, and my taxes have GONE UP, but allowing an outdoor patio adjacent to my property will de-value it even further.

I am opposed to an outdoor patio and feel that you should be thinking about our neighbors and the livability of our neighborhood.

Thank you.

Mary Mulcahy  
1601 Bayard Ave  
St. Paul, MN 55116  
651-698-0805