

From: "Mark Thieroff" <MarkThieroff@siegelbrill.com>
To: "Larry Zangs" <larry.zangs@ci.stpaul.mn.us>
CC: "Wendy Lane" <wendy.lane@ci.stpaul.mn.us>, <peter.warner@ci.stpaul.mn.us...>
Date: 1/4/2012 12:41 PM
Subject: Re: Kingdom Pathways
Attachments: Siegel-Brill-Logo.gif

Larry:

I think you should reconsider your conclusion regarding the need for a roominghouse license for the duplex at 426 Oxford. In your message below, you indicate that no license is required for the duplex because each unit is limited to no more than 4 residents under the zoning code. This assumes that the licensing ordinance treats the units separately, but that does not appear to be the case.

Sec. 321.02(a) provides that no person shall operate any boardinghouse or roominghouse "as herein defined" without a license. Sec. 321.01 defines "roominghouse" to include "any building housing more than four unrelated individuals which has any one of the following characteristics . . . (2) rooming unit doors are equipped with outer door locks or chains which require different keys to gain entrance." Significantly, this portion of the roominghouse definition does not reference "any dwelling unit," which is used elsewhere in Sec. 321.01. This distinction makes clear that the residents in the entire building must be counted for purposes of determining whether a license is required, not just the residents in each duplex unit.

Because the Oxford duplex is a building that houses eight unrelated individuals and the rooming unit doors in the duplex are equipped with outer door locks with separate keys, the duplex is plainly a "roominghouse" under Sec. 321.01 and must be licensed pursuant to 321.02(a).

Please let me know as soon as possible whether you will now accept an application for a roominghouse license for the duplex at 426 Oxford.

Thank you.

Mark Thieroff
Siegel Brill PA

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From: Larry Zangs [mailto:Larry.Zangs@ci.stpaul.mn.us]
Sent: Wednesday, December 28, 2011 5:50 PM
To: jamesm@usfamily.net
Cc: Brian Krawiecki; Jim Bloom; Wendy Lane; William Gunther; Mark Thieroff
Subject: Re: Fwd: Re: Kingdom Pathways

We will entertain issuing a license for a rooming house with food boarding at 1038 Oxford only, since it meets the definition requiring a license. The duplex at 426 Oxford is considered a legal nonconforming two-family dwelling unit. As such, each of the units is limited to no more than 4 residents each and therefore does not require to be licensed.

Below is the information which is "revised" from my previous October letter to you concerning minimum health code requirements for the rooming house. Since we are only licensing 1038 Aurora, you will need to pay the annual fee (shown in red) at the time you submit the license application form. As indicated, there most likely will be a one-time environmental plan review fee that you will be separately invoiced for once the health inspector is satisfied your facility meets State Health Code requirements. I don't know which health inspector is going to handle this one but once you have applied for the license, we will figure that out and coordinate with that inspector.

There was still some issues with meeting the building code requirements that we discuss in October that I don't know the status of (see below). I will discuss this with City's Building Official and let you know where we are with that most likely tomorrow afternoon.

The attach PDF is the license application form to be completed for the rooming house license for 1038.

We will not issue these licenses until all necessary permits have been obtained, work has been completed to the satisfaction of the building and health inspectors

Health Code Requirements

- * The kitchen in 426 Oxford will require a separate hand wash sink. (Not sure this is necessary now, since this facility will not be licensed, but you will need to discuss with health inspector)
- * A NSF(National Sanitation Foundation) commercial dishwasher

will be required in the 1038 kitchen.

* The issue of a new range hood and other upgrades for the kitchen could be a possibility pending on-site inspection of the kitchen. Health is not requiring the hood over the stoves now but could require it in the future if staining on the ceiling, above the cooking surfaces, is observed during future inspections.

* Will need proof that food service provider has a Minnesota Food Manager's Certification.

All license applications and Environmental Plan Review fees must be submitted before the opening inspection. You may not operate until applications and fees are submitted and final approval is given. The applicant must obtain all necessary plan reviews, permits and licenses for the establishment.

City Licensing Requirements

The business proposed for this location will require the following city license(s)

License Type
Annual Fee

Rooming House License
\$178.00

Food Boarding License*
\$353.00

Total

Annual Fee \$531.00

Environmental Plan Review \$380.00 - - Talk to Health Inspector regarding this fee which is a one time fee for the initial inspection/plan review over and above the annual license fee.

Building Code Requirements

We are in receipt of Peter Carlsen's memo, summarizing the discussion of the Building Code Issue discussed at our Nov. 8Th [It is attached to this summary]. Jim Bloom, the building official who was at the meeting, is on vacation until Monday (Nov. 14Th) and has not reviewed it yet. Once he has done this he will inform you if there are any corrections or clarification needed.

The exterior entry stairs must be fixed and handrail, per MN State Building Code installed before winter, with a building permit issued by this office.

Any plumbing, gas or electrical work required for the hand sink or to install dishwashing equipment must be done under separate permits. The permits must be obtained and the work performed by license contractor, with the City of St Paul, in each of the respective trades.

Information about permits and work to be done is based on current understanding of the project. Additional permit including construction plans may be required. Contact our plan review group with questions about specific plan submission requirements at 651- 266-9007.

Lawrence R. Zangs
Project Facilitator
Saint Paul Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul MN 55101-1806
E-Mail: larry.zangs@ci.stpaul.mn.us
Tel: 651/266-9109

>>> <jamesm@usfamily.net> 12/28/2011 12:16 PM >>>
Hi Larry,

We had used the 1038 kitchen as well as the one kitchen in 426 with the commercial equipment already installed, but we could just use the 1038 kitchen.

Jim

Quoting Larry Zangs <Larry.Zangs@ci.stpaul.mn.us>:

> If I remember how this goes, is the food preparation being done at
> 1038 Aurora, correct?

>
>
>
>

> Lawrence R. Zangs
> Project Facilitator
> Saint Paul Department of Safety and Inspections
> 375 Jackson Street, Suite 220
> Saint Paul MN 55101-1806
> E-Mail: larry.zangs@ci.stpaul.mn.us
> Tel: 651/266-9109

>>>> <jamesm@usfamily.net> 12/28/2011 10:54 AM >>>>
> OK, blessed and grateful, Jim

>
> Quoting Larry Zangs <Larry.Zangs@ci.stpaul.mn.us>:
>
>> I will work on your case this afternoon will get back to you then.
>>
>>
>> Lawrence R. Zangs
>> Project Facilitator
>> Saint Paul Department of Safety and Inspections
>> 375 Jackson Street, Suite 220
>> Saint Paul MN 55101-1806
>> E-Mail: larry.zangs@ci.stpaul.mn.us
>> Tel: 651/266-9109
>>>> <jamesm@usfamily.net> 12/28/2011 10:32 AM >>>
>> Hi Larry,
>>
>> We need your help here. We have already done most of the items on
your
>> project report as well.
>>
>> We have a tremendous outpour from the community in support
>> of this program ... but we need your help.
>>
>> Can we help you get any necessary information you might need ?
>>
>> Blessed and Grateful,
>>
>> Rev. Jim Michaud
>> Exec. Director
>> Kingdom Pathways, 501(c)(3)
>> www.KingdomPathways.org
>> Ph: 651-387-8393
>> Fax: 763-862-5336
>>
>> ----- Forwarded message from jamesm@usfamily.net -----
>> Date: Tue, 20 Dec 2011 18:25:56 -0600 (CST)
>> From: jamesm@usfamily.net
>> Reply-To: jamesm@usfamily.net
>> Subject: Re: Kingdom Pathways
>> To: Wendy Lane <Wendy.Lane@ci.stpaul.mn.us>, "Zangs, Larry"
>> <Larry.Zangs@ci.stpaul.mn.us>
>>
>> Wendy and Larry,
>>
>> On behalf of Kingdom Pathways, and the entire nearby community, we
>> ask that you please allow this solution Mark lists below,
>> as it is within the zoning code and reasonable from a licensing
perspective.
>>
>> We have cut back dramatically in the number of residents from 21 to
14,
>> greatly reducing density. We have many very nearby neighbors who have
>> publically
>> testified as well as petitioned support for even a 21 person program.
>>
>> Lastly, we have a community based board, community based staff,

community

>> based volunteers, as well as partnerships with organizations less than 1

>> block away, partnering together for our program.

>>

>> Please, we have strived to meet all city codes, adjusted where

>> necessary ... and

>> now ask you to please accept this solution.

>>

>> Very Sincerely,

>>

>> Rev. Jim Michaud

>> Exec. Director

>> Kingdom Pathways, 501(c)(3)

>> www.KingdomPathways.org

>> Ph: 651-387-8393

>> Fax: 763-862-5336

>>

>> Quoting Mark Thieroff <MarkThieroff@siegelbrill.com>:

>>

>>> Wendy and Larry:

>>>

>>> Thanks for your email earlier today, Wendy.

>>>

>>> I've heard from my client on the issue of putting the CRF for six in the

>>> Aurora property and using the two duplex units for transitional housing

>>> for four persons. If that would work from a zoning perspective and if

>>> the Oxford units could receive rooming/boarding house licenses, this

>>> would be a solution for Kingdom Pathways.

>>>

>>> Can each of you please let me know (1) whether Kingdom Pathways can

>>> simultaneously and permissibly use 1038 Aurora Ave. for a community

>>> residential facility, licensed human service serving 6 or fewer

>>> facility

>>> residents, and use each of the two duplex units at 426 N. Oxford St.

>>> to

>>> house four unrelated persons and (2) whether Kingdom Pathways would

>>> be

>>> eligible to obtain a rooming/boarding house license for each of the

>>> Oxford St. duplex units in these circumstances. (I am assuming that

>>> Kingdom Pathways can apply for a rooming/boarding house license for

>>> a

>>> CRF at 1038 Aurora Ave.)

>>>

>>> Thank you for your ongoing assistance with this matter.

>>>

>>> Mark Thieroff

>>> Siegel Brill PA

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>> ----- End forwarded message -----

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