SAINT PAUL
PLANNING & ECONOMIC DEVELOPMENT

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
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Saint Paul, MN 55102
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DATE: May 28, 2025

TO: Comprehensive and Neighborhood Planning Committee (CNPC)

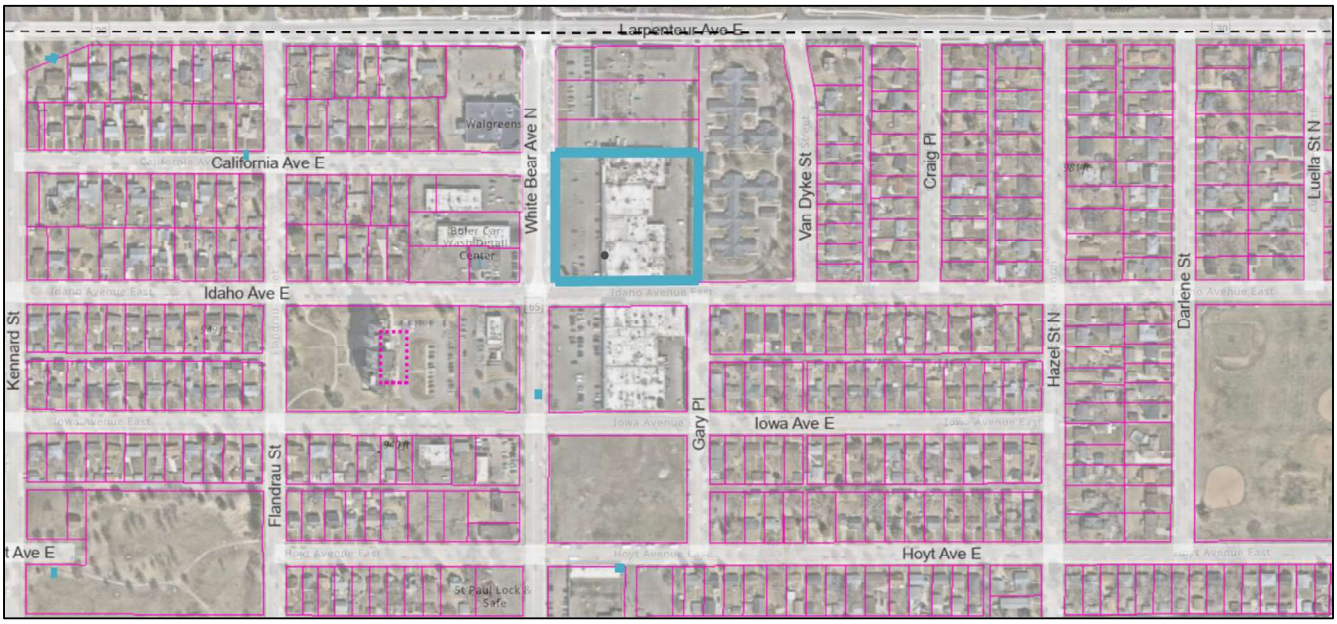
FROM: Valerie Quarles, Senior City Planner

RE: Creation of Commercial Development District at 1624/1626 White Bear Ave N (PIN: 23.29.22.22.0048)

1624/1626 White Bear Ave N Commercial Development District Background

Outside of Downtown and other commercial development districts (CDDs), on-sale liquor licenses may only be issued to restaurants (12 am closing), hotels, and private non-profit colleges as of 1995. Because on-sale liquor licenses outside commercial development districts only allow for liquor to be served until midnight, extending the hours requires the establishment of a new commercial development district per Section 409.16 of the Legislative Code.

The request to form a new Commercial Development District at 1624/1626 White Bear Ave N originated with applicant Nufue Chang requesting extended bar hours for Cups and Cheers, an existing bar and restaurant. The applicant states that expanded hours will allow them to be more competitive with bars and restaurants in nearby Maplewood and North Saint Paul. The CDD will include the entire parcel.



1: 1626 White Bear Ave N and surrounding neighborhood.

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Planning Commission Review

Section 409.16 of the Saint Paul Legislative Code pertains to the process for amending or creating new commercial development districts. When any new commercial development district is established or amended, section 409.16 (c) states that **The Planning Commission shall be consulted for advice concerning the proposals for consistency with the city's comprehensive plan and zoning ordinances, and the planning commission shall report in writing to the city council its findings and recommendations.**

The building at 1624/1626 White Bear Ave N is a neighborhood shopping center with about 10 tenants, including Cups and Cheers, Exquisite Cake Bakery, Joyful African Foods, and Teepwo Market. Adjoining uses include residential (H2) to the west, another neighborhood shopping center (B2) to the south, and multiple standalone commercial uses (B2) to the east and north. The parcel is located at the center of the White Bear Ave N/Idaho Ave E neighborhood node near the northern border of the city with Maplewood.

The current zoning for the subject parcel is B2 – Community Business, which is intended to serve the needs of a consumer population larger than that served by the "local business district," and is generally characterized by a cluster of establishments generating large volumes of vehicular and pedestrian traffic. B2 allows many commercial uses, including bars, which are permitted with conditions. Multiple entertainment uses are also permitted or conditional.

The parcel is located within District 2. Relevant goals from the Greater East Side District Plan (2009) include supporting vital mixed-use business nodes and developing a strong base of locally owned and operated businesses. The parcel also falls within the White Bear Avenue Small Area Plan (2001). The Small Area Plan calls for White Bear Avenue to remain a mixed-use street.

Findings:

1. The proposed commercial development district is consistent with the comprehensive plan. The proposed commercial development district is within the neighborhood node located at White Bear Ave N and Idaho Ave E. Per the applicant, extending bar hours will contribute to the vitality of the area by continuing to provide a gathering place on the East Side for members of the Hmong community. The proposed CDD is consistent with the Mixed-Use future land use designation for the area, as well as specific comprehensive plan policies:

- Policy LU-6. Foster equitable and sustainable economic growth by:
    1. facilitating business creation, attraction, retention and expansion;
    2. encouraging cultural and arts-based businesses and business districts, such as Little Mekong, Little Africa, Rondo and the Creative Enterprise Zone;
    3. building and expanding neighborhood economic and cultural assets through the development of the local micro-economies of our Neighborhood Nodes.
- Policy LU-7. Use land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities.
- Policy LU-30. Focus growth at Neighborhood Nodes using the following principles:
    1. Cluster neighborhood amenities to create a vibrant critical mass.

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Relevant goals from the Greater East Side District Plan (2009) include supporting vital mixed-use business nodes and developing a strong base of locally owned and operated businesses, which would be consistent with the proposed CDD. The parcel also falls within the White Bear Avenue Small Area Plan (2001). The Small Area Plan calls for White Bear Avenue to remain a mixed-use street. Retaining a bar/restaurant use at this corner would contribute to this objective.

2. The proposed commercial development district is consistent with the underlying zoning. The underlying zoning of the parcel is B2 – Community Business, which is intended to serve the needs of a consumer population larger than that served by the "local business district," and is generally characterized by a cluster of establishments generating large volumes of vehicular and pedestrian traffic. The neighborhood shopping center on this parcel would continue to fit this zoning intent. B2 allows many commercial uses, including bars, which are permitted with conditions. The existing bar/restaurant would remain with extended hours, which is consistent.

Recommendation

Based on findings, staff recommends that the Comprehensive and Neighborhood Planning recommend to the Planning Commission that the proposed Commercial Development District at 1624-1626 White Bear Ave N is consistent with the Saint Paul Comprehensive Plan and Zoning Code.

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Appendix A: Licensing Code Appendix

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.

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.

Section 17.07.2. Restrictions.

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

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of seating and serving meals to not less than fifty (50) guests at one time, and thereafter as the council may determine.

Section 409.16 of the Legislative Code:

(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.

city of saint paul
planning commission resolution
file number _____
date _____

Commercial Development District: 1624-1626 White Bear Avenue North

WHEREAS, an application has been submitted to the City Council for the creation of a Commercial Development District at 1624-1626 White Bear Ave N site (PIN: 23.29.22.22.0048) pursuant to §17.07.1 of the City Charter and to §409.20 of the Saint Paul Legislative Code, for the purpose of removing restrictions on liquor sales; and

WHEREAS, the Department of Safety and Inspections has consulted with the Planning Commission for advice concerning the proposal's consistency with the City's comprehensive plan and zoning ordinance pursuant to §409.20 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission has made the following findings of fact:

1. The 1624-1626 White Bear Ave N site includes one building on one parcel, as shown on the map in the attached application.
2. The proposed commercial development district is confined to the parcel at 1624-1626 White Bear Ave N (PIN: 23.29.22.22.0048).
3. The proposed commercial development district is consistent with the adopted 2040 Saint Paul Comprehensive Plan, which designates this parcel as mixed-use and within a neighborhood node. The proposed district is also aligned with policies promoting equitable and sustainable economic growth, responsive land use and zoning flexibility, and clustering neighborhood amenities at neighborhood nodes.
4. The proposed commercial development district is consistent with the Greater East Side District Plan, which calls for support of vital mixed-use business nodes and development of a strong base of locally owned and operated businesses.
5. The proposed commercial development district is consistent with the White Bear Avenue Small Area Plan, which calls for White Bear Avenue to remain a mixed-use street.
6. The proposed commercial development district is consistent with existing zoning. The property is zoned B2, which permits bars and restaurants with conditions.

NOW, THEREFORE, BE IT RESOLVED under provisions of the City Charter §17.07.1 and Legislative Code §409.20, that the Planning Commission hereby reports to the City Council that the proposed Commercial Development District at 1624-1626 White Bear Ave N (PIN: 23.29.22.22.0048) is consistent with the Comprehensive Plan and Zoning Code, and supports creation of the proposed district.

moved by _____
seconded by _____
in favor _____
against _____