

**Attachment to Application to Amend HUV**  
**(445 Smith Ave)**

This application seeks to modify a condition related to parking contained within a historic use variance (HUV) granted by the City Council in September 2015.

**Background**

After receiving recommendations for approval by the Heritage Preservation Commission (HPC), Zoning Committee and Planning Commission, on September 16, 2015 the City Council approved Resolution 15-1604, granting the applicant's request for a HUV to allow a tap house/microbrewery with food service at 445 Smith Avenue, which lies within in a one-family residential district. The project involves the rehabilitation and historic re-creation of a nineteenth century German lager beer saloon, in a limestone building built in 1857 that housed such a business prior to and during the Civil War. (See the owner's original HUV application narrative set forth in **Exhibit A.**)

In the hearings on the HUV, the applicant stated that he disfavored locating a parking lot on the subject site, for which he had recently gained designation as a Saint Paul Heritage Preservation Site. Instead, the applicant's plans called for his code-required off-street parking spaces to be located in a separated parking lot down the alley, and one ADA accessible parking space to be located on Smith Avenue in front of the building. Consistent with these plans, in its resolution approving the HUV, the City Council included six conditions, the second of which stated that "[t]here shall be no off-street parking provided on the subject site." The applicant does not recall any discussion of ADA accessible parking at any of the hearings reviewing the HUV application. Rather, the concern expressed—including by applicant himself—was that there not be a parking lot (i.e., containing multiple general parking spaces) on the historic site.

Following the Council's approval of the HUV, the applicant learned that Saint Paul Public Works would not allow the ADA accessible parking space to be located on Smith Avenue. When the applicant explored placing the ADA space in the separated parking lot down the alley, he received feedback from Council on Disabilities and other stakeholders disfavoring that location due to its distance from the building (approximately 220 feet via the alley, or 670 feet via the public sidewalks).

After evaluating all of the options for ADA accessibility, and following a review of five separate conceptual plans with staff for HPC, Department of Safety and Inspections (DSI), Public Works, Council on Disabilities and the Minnesota Department of Transportation (MnDOT)<sup>1</sup>, the applicant has determined that the plans attached to this application offer the best solution to the ADA parking issue.

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<sup>1</sup> This portion of Smith Avenue is also a state trunk highway (State Highway 5).

Tentative Hearing  
2-11-16  
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### Description of Changes

The applicant's plans remain largely the same as before, but now call for a single ADA accessible parking space immediately behind the historic building complex, adjacent to and accessed from the alley to the north. In order to make room for this space, the applicant proposes to make certain changes (summarized below) to the designs attached to his prior HUV application, which were subsequently approved in modified form by the HPC at its October 8, 2015 hearing. Moreover, the applicant's revised plans include new mechanical/electrical information and incorporate feedback obtained during preliminary review meetings with the City, allowing the applicant to clarify certain other details such as exposed roof vents, skylights, trash pad, compressor unit, etc. These latter changes/additions are unrelated to the applicant's request to amend the HUV parking condition, and are offered here merely as updated information on the project. (See accompanying **plans and elevations**.)

The following summarizes the changes/additions to the plans and elevations submitted along with the applicant's original HUV application:

1. A single ADA accessible parking space has been added immediately to the rear of the historic building complex, adjacent to and accessed from the alley to the north.
2. In order to accommodate the ADA parking space, the "brew barn" (the new building in the backlot housing the restrooms, brewery equipment, kitchen, mechanicals, storage and office) has been moved 22 feet to the south.
3. The vestibule connecting the replacement 1880s addition, which previously ran along an east-west axis when the brew barn was located directly behind (to the west of) the replacement 1880s addition, now jogs to the south in order to connect with the relocated brew barn.
4. The ADA accessible entry is now located on the north side of the brew barn, immediately adjacent to the ADA parking space. An interior ramp spans the ADA accessible entry and the vestibule area, which is at the same level as the first floor of the building. The location of the accessible entry and use of an interior ramp are both changes from the prior plans, which depicted a 75 foot exterior pathway/ramp meandering from the public sidewalk on Smith Avenue, up to the stone porch and east-facing doorway on Smith Avenue.
5. A 4-foot wide marked, exterior path running along the south edge of the alley will connect the public sidewalk along Smith Avenue to the ADA accessible entry, in the event the on-site ADA parking space is occupied and disabled patrons approach from the public sidewalk.
6. Certain modifications have been made to the windows and doors of the brew barn to accommodate revisions to the interior floorplan, which revisions were in turn dictated by the changed location of the brew barn's connection with the vestibule. Although the locations and dimensions of some doors and windows have changed, they are rendered in

a style consistent with that previously approved by the HPC.

7. The location and approximate dimensions of all known roof-top skylights, vent stacks, exterior compressor, exterior trash pad, etc. associated with the brew barn have been added to the drawings. These elements have been concentrated on the west-facing roof slope, to reduce their visibility from Smith Avenue.
8. A six-foot square flat wooden cover is shown over the site's historic, hand-dug, stone-lined well, which lies a few feet to the south of the stone building. The well was found preserved underneath the front entryway of the house that had been moved to the site in June of 1897. (In September, this house was moved again to 41 Douglas Street). The owner is seeking a variance from the Minnesota Department of Health, Well Management Division, to preserve this feature in a safe and secure manner. Further research will be done on its appropriate treatment for future design review proposal to the HPC.
9. The revised designs satisfy all other elements of the HPC's written conditions following its October 8, 2015 Public Hearing. In particular:
  - a. The brew barn incorporates the lowered and steepened roof eaves selected by the HPC (i.e., 8/12 pitch, rather than the originally-proposed 6/12 pitch);
  - b. The length of the brew barn complies with the extended 58-foot footprint allowed by the HPC to accommodate the steepened roof pitch (all other dimensions remain the same, including width and roof peak height);
  - c. Glass continues to predominate in the vestibule, which is now even more transparent (a positive feature identified by the HPC) due to the elimination of a previously-proposed half-wall dividing the restroom and service corridors.

As no other changes are proposed, and no further modifications to the HUV other than that necessary to allow a single on-site ADA parking space, the applicant incorporates the remainder of his narrative responses to his original HUV application in **Exhibit A**.<sup>2</sup>

### **Assessment of Impact of On-Site ADA Parking Space**

Historic sites are not exempt from the requirements of the Americans with Disabilities Act. ADA accessible parking should be as convenient as possible, and the distance between the accessible parking and the building's entry should be as short and navigable as possible. Fortunately, in this case accessibility need not be at odds with historic preservation. The proposed on-site ADA parking space provides a high level of accessibility without compromising significant features or the overall character of the site.

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<sup>2</sup> The several exhibits and attachments to the applicant's original application submitted in July, 2015 have not been included with this application since they have no bearing on the proposed modification to the parking condition.

The same cannot be said of the alternatives. Locating the ADA parking further to the south on the historic lot would require a curb cut to Smith Avenue, significant excavation for the parking area to comply with maximum slopes, and approximately 75 feet of exterior ramp to surmount the nearly 3' grade differential—all of which would have a greater adverse impact on the historic integrity of the site. On the other hand, locating the ADA parking in the applicant's remote parking lot would not impact the historic site, but would require disabled users to navigate either a straight line of 220 feet down the alley, or an arc of approximately 670 feet down the public sidewalks—in all weather. (This latter option would likely be implemented if this application is denied.)

These and other options have been thoroughly vetted with DSI, Public Works, Council on Disabilities and MnDOT. The proposed plan represents the best overall solution.

### **Conclusion**

For all of these reasons, the applicant respectfully requests that the second condition to the HUV for 445 Smith Avenue be amended to allow a single, on-site ADA accessible parking space on the historic site. Thank you for your consideration.

## EXHIBIT A

### Attachment to [Initial] HUV Application Form [submitted July 2015]

#### **Project Background:**

This project involves the historic restoration of both a building and a business.

The Anthony Waldman House, also referred to as the Stone Saloon, was built in the fall of 1857—six months before Minnesota became a state, nearly four years before the Civil War began, and at a time when fewer than 10,000 people lived in the City of Saint Paul. The building is the City's the oldest surviving commercial building. Its vernacular design, solid limestone masonry and early period of construction provide the basis for its pending historic designation by the City of Saint Paul. Most relevant for purposes of this application, the Stone Saloon is one of only a few surviving Civil War-era saloon buildings in the region—and it is a very special one at that. Waldman's was a "lager beer saloon."

German lager beer (as distinguished from darker, heavier Yankee ales of the period) took Minnesota Territory by storm in the 1850s. By the time the Stone Saloon was built, Saint Paul had 12 breweries, all but two of which manufactured lager beer. At first these breweries served almost exclusively the local market, where much of the consumption took place in Saint Paul's lager beer saloons. In 1860 the growth of lager breweries and proliferation of lager beer saloons received an unlikely boost from the enactment of Minnesota's Lager Beer Act, a blatantly protectionist and oddly pro-Temperance measure that exempted the manufacture and sale of lager beer (and lager beer alone) brewed or sold within the State from all forms of licensure, sales tax or bonding requirements. Even when the Act was repealed in 1863, City ordinances continued to grant favorable treatment to lager beer saloons by licensing them separately from all other saloons, affording the former much-reduced fees and an exemption from the normally stiff enforcement bonds.

In addition to German-Americans' growing political power (which was bolstered by the election in 1860 of President Lincoln and many Republicans in Minnesota), the special status bestowed upon lager beer saloons reflected the distinctive drinking culture brought by Germans to their adopted homeland. In contrast to most Yankee saloons, which primarily served hard liquor and offered little by the way of food, lager beer saloons served beer almost exclusively, a variety of foods, and often hosted musical events or other forms of entertainment. For these reasons, and because lager beer's lower alcohol content made it more socially acceptable to teetotalers in the age of Temperance, lager beer saloons gained the reputation of being more family-friendly and community-oriented. More than just places to drink, nineteenth-century German-Americans saw their lager beer saloons as a kind of social institution.

This project seeks to recreate the conditions and attributes of a mid-nineteenth-century German lager beer saloon, in a meticulously restored building that once housed just such an establishment. Importantly, the term "saloon" is used here only in a limited, historical sense. Analogous to Anthony Waldman and other lager beer saloon proprietors of the 1850s and 1860s, we do not seek a variance for a liquor license, but for a beer-only tap house/micro-brewery. Substantial and costly exterior restoration work has already been completed on the roof, front façade and exterior stone masonry of the building, re-exposing the historic commercial façade which was filled in with stone work after 1885. (See "Before and After" image, **Tab 1**). Through our continued research and attention to detail, we seek to give people the chance to

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experience first-hand this unique historic, architectural and cultural asset; to create a landmark gathering place for the West 7<sup>th</sup> Street and surrounding communities; to fuel the interests, discussions and intellectual curiosity of architects, historians and preservationists everywhere; and to showcase the City's adeptness at leveraging its historic assets for redevelopment purposes.

This project and the proposed historic use variance has widespread public support, including the written support of Historic Saint Paul, Preservation Alliance of Minnesota, the Fort Road Federation/District 9 Council, and the Little Bohemia Neighborhood Association (~~see Letters of Support, Tab 2~~). The boards of each of these organizations have toured the site first-hand, and viewed the same materials submitted along with this application. As their support attests, and as has already been demonstrated by the enactment of the City's first historic use variance ordinance—prompted by this project—the Stone Saloon is small building with a potentially big footprint. We thank you for your consideration of the responses that follow.

### 1) **Description of the proposed use and its consistency with the structure's historic use.**

We propose to use the Stone Saloon as a licensed tap house/micro-brewery, producing and serving historically inspired German-American beers similar to those brewed in Saint Paul during the state's Territorial and Civil War periods. Non-alcoholic sodas such as birch and root beers will also be produced and served on premises, as well as coffee and teas. True to most historic lager beer saloons, we will offer a limited menu of assorted cheeses, charcuterie, pickled and soured vegetables, artisan breads, German pretzels and mustards, and deserts. We hope later to expand the menu to include grilled and boiled wursts, leberkase, German potato salad and soups/stews. Other than filling a limited quantity of 64-ounce growlers, there will be no packaging, distribution or off-site sale of beer or other beverages from the site. (This is different from Bad Weather Brewery, whose business model includes off-site sales/distribution.)

The interior furnishing of the Stone Saloon will be guided by descriptions and inventories of 1850-60s lager beer saloons found in a variety of primary sources, including courthouse, real estate, newspaper and other records. Our current collection includes period saloon/steamboat chairs, saloon tables, pewter lighting fixtures and numerous other artifacts of the era. Wherever possible, modern building code, accessibility, food safety, sanitation and licensing requirements will be satisfied by blending today's technology with character-defining historic treatments (for example, the nine-light window sashes in the commercial façade are comprised of code-compliant safety glass laminated to distorted hand-blown glass panes). Most importantly, impacts on the integrity of the interior of the historic structure will be minimized by locating most modern functions (brewery, kitchen, restrooms, utilities, storage, etc.) in a new separate structure to be built in the backlot and connected to the historic structure by a vestibule. This design ensures that the proposed use will be consistent with the building's historic use to the maximum degree possible.

### 2) **Description of any exterior modifications to the structure, property, and site including an assessment of the impact of these modifications on the historic integrity of the site.**

Stone portion: The 1857 stone portion at the front-lot will not be altered from its state at designation. A handicap accessible ramp will be installed at the sidewalk to the south, leading to an entrance at the south of the rear wood frame addition. A period-appropriate hand-painted sign

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complying with the Preservation Program developed by the City/HPC will be mounted at the front commercial cornice. Bicycle racks will be installed where permitted by Public Works or on site if not permitted. The location and design of either option will be done in consultation with City/HPC staff.

Rear wood frame addition: With the approval of the City/HPC, the rear wood frame addition to the stone building will be reconstructed in accordance with the Secretary of Interior's Rehabilitation Standards and the Preservation Program for the site. (~~See rear addition plans and elevations, enclosed~~). Our decision to replace the rear addition "in-kind" has been informed by an extensive structural analysis by a qualified engineering firm. This analysis concluded that too much existing material—approximately 80 percent—would need to be replaced or strengthened with additional new material for repair to be feasible and prudent. (~~See Align Structural, Inc. report dated 8/19/14; Memo by Historian Consultant Bob Frame to Amy Spong, Christine Boulware, HPC dated 8/19/14~~). Nevertheless, replacement of the rear addition "in-kind" will yield a reconstructed addition with the same footprint, floor levels, ceiling heights, roof peak, and interior stairway placement as the existing structure. As show in the enclosed plans and elevations, the exterior features of this addition have been designed in the Greek Revival style prevalent during the 1850s and 1860s and evidenced both at this site and others included within the Stone Saloon's thematic designation. Although the submitted plans alter the roof pitch of the circa-1885 addition now in place, the reconstructed roof pitch will match the pitch of the predecessor addition's historic, Greek Revival roof pitch (6"/12") which is clearly traced in the masonry along the rear façade of the stone building.

Newly constructed building: A newly building will be constructed at the backlot and connected to the historic structure by a vestibule. The new building will house the brewery equipment, kitchen, restrooms, storage, utilities and office. (~~See site plan and elevations, enclosed~~). The placement of these functions in a newly constructed building minimizes the impacts they might otherwise have on the integrity of the historic building. The new building and its connecting vestibule are designed to clearly differentiate themselves from the historic structure, while keeping with the character of the site and of other 19<sup>th</sup> accessory buildings in the area. The positioning of the new building at the backlot and the use of landscaping effects (including hop trellises along the south and east exterior walls of the new building) will keep the spotlight on the historic structure in front. Every design and engineering effort has been made to minimize the scale of the new addition, including employing stacked, horizontally mounted fermentation and lagering tanks, a ceiling trolley to maximize storage efficiency, and a highly compact kitchen preparation area. Finally, the new building will occupy nearly the identical footprint of an alley-house that once sat in the same location behind the Stone Saloon from 1874 to 1898. The positioning of the new building therefore relates to the historic context of the site during the final eleven years of the Waldmans' residency.

No other modifications are proposed to the site which would impact its historic integrity. Importantly, we have secured all [non-ADA accessible] off-street parking required by code at a location other than the historic site, further minimizing impacts on the site's integrity. ~~This means that there will be no parking on the historic property at all. (See parking layout, enclosed.)~~

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Moreover, the owners of the tap room/brewery Bad Weather Brewery immediately across the alley have agreed to work with us to consolidate supply purchases and deliveries, as well as to share the use of their wood-screened waste disposal pad and trash hauling and recycling services. (See Letter of Joe Giambruno and Zac Carpenter, Bad Weather Brewing, Tab 3).

### 3) **Description of all interior architectural features unique to the historic period.**

The Pioneer Era Houses context study cited in the Stone Saloon's historic designation established the temporal parameters for the historic period included in the thematic designation as 1854-1880. The stone portion of the Stone Saloon retains the following architectural features and materials from this historic period:

- original tongue-in-groove pine flooring on both first and second levels;
- original staircase between first and second levels;
- two original two-panel doors, with some original hardware; and
- one original window casing and sill in second level, south window.

As described in the designation, the rear wood frame addition post-dates the Pioneer Era, and in any event no longer contains any historic architectural or character-defining interior features.

### 4) **Site plan**

See enclosed.

### 5) **Photos of existing conditions**

See Tab 4. [enclosed]

### 6) **11" x 17" Architectural plans drawn to scale that include any proposed modifications.**

See enclosed.

### 7) **Information supporting the following findings.**

#### **a. The proposed use is reasonable and compatible with the historic use(s) of the site or that the new use is consistent with Legislative Code Chapter 73.04(5).**

As discussed above, the proposed tap house/micro-brewery use closely approximates the historic business use of the site as a neighborhood beer-only saloon (in the historic sense) offering limited food service. The addition of a sensitively designed structure in the backlot is a reasonable accommodation to modern restrooms, equipment and utilities.



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### **b. The proposed use complies with the adopted preservation program and the United States' Secretary of the Interior's Standards for Rehabilitation.**

Aside from modifications dictated by public safety and handicap accessibility (e.g., the handicap ramp to the south) the most material modification caused by the proposed use is the new construction on the backlot. In keeping with Secretary of Interior's Rehabilitation Standards and the accompanying Rehabilitation Guidelines pertaining to new additions to historic structures, the new building and vestibule are designed in a manner that differentiates them from the historic structure, while being compatible with the massing, size, scale and features of the site and its surrounds. The roof peak of the new building is lower than the roof peak of the historic stone building, and the roof pitch matches that of the reconstructed rear wood frame addition as well as that of the historic stone building's hipped roof (both having a pitch of 6"/12"). The location of the new building at the backlot and future landscape treatments (including hop trellises along the south and east exterior walls of the addition) will keep the spotlight on the historic structure in front. (See Rehabilitation Standard 9; see also Secretary of Interior Rehabilitation Guidelines for New Additions). The north and west elevations of the new building will be visible only from the alley. Moreover, because Smith Avenue and the sidewalk in front of the Stone Saloon lie approximately 3' below the grade of the historic site, the lowered sightlines from the public right-of-way enhance the prominence of the historic stone structure at the front of the lot relative to the new construction to the rear.

Finally, the new structure allows for reversibility. In the event that the proposed use ever ceased, the new addition and its connecting vestibule could be removed without impairing the form or integrity of the original historic structures, or the historic site as a whole. (See Rehabilitation Standard 10)

### **c. The historic use variance is necessary to alleviate practical difficulties unique to the heritage preservation site that prevents its use in a manner consistent with its historic use or that the new use is consistent with Legislative Code Chapter 73.04(5) and that these difficulties were not created by the applicant.**

The Stone Saloon was designed, built and originally used as a commercial property. As established in its designation, it was historically used as a lager beer saloon. The practical difficulty that prevents the Stone Saloon from being used in a manner consistent with this historic use is the parcel's residential zoning classification (R4). This difficulty was not created by the applicant.

A broader practical difficulty is the initial and continued expense of the historic preservation and rehabilitation of the Stone Saloon. A historic property cannot be preserved and maintained without a viable and ongoing means of support, regardless of its level of significance.

This project began with a registered Vacant Building that had several outstanding nuisance and abate orders, extensive structural issues, and no independent water or sewer line (both T-ed off the adjacent, separately owned parcel). The adjacent parcel had to be acquired in order to access these essential utilities and provide for their upgrading. While

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stonemasonry in general has excellent longevity, stonemasonry repair after nearly 160 years of weathering and inappropriate maintenance can be (and in this instance, has been) extremely costly. For the present applicant this project has thus far been both a "labor of love" and "leap of faith," but the complete restoration/rehabilitation of this historic site, as well as its ongoing maintenance, must ultimately be sustained by a more rational economic calculus.

The proposed use as a beer-only tap house/micro-brewery is minimally tailored to leverage the unique history of this building for a sustainable, income-producing use. The proposed use not only respects the building's history, but allows the public to share in it. In comparison, use of the building as (for example) a private residence would not attract the level of investment required to rationally undertake the same level of rehabilitation, and would not yield the same "public good" of community access to this unique and historic lager beer saloon. The grant of a historic use variance in this instance would be in keeping with Policy 5.5 of the Historic Preservation Plan, part of the Saint Paul Comprehensive Plan, which establishes a goal to "develop land use and regulatory incentives to make it easier and more feasible to rehabilitate" historic resources by applying "an ordinance that allows historic variances in order to alleviate undue hardships created by the historic character of designated properties."

For these several reasons, a historic use variance for tap house/micro-brewery use is the minimum needed to enable this property to be used in a manner that will have the least impact on its historic character and the character of the surrounding area. (Leg. Code § 61.601(g).

**d. The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area.**

The use of the Stone Saloon as a tap house/micro-brewery is similar (although smaller in scale) to the current use of a much larger and partly contiguous TN2 site immediately across the 16'-wide alley to the northwest, newly operating as Bad Weather Brewery. Degidio's Restaurant and Bar operates with a full liquor license in B2 zoning approximately 330 feet to the northwest, across West 7<sup>th</sup> Street from Bad Weather Brewery. Garafolo's Automotive Repair operates from a T1 parcel approximately 180 feet down the alley from the Stone Saloon. A flat-roofed former factory building turned used clothing store turned artists' studio lies immediately across Smith Avenue (State Highway 13) to the north of the Stone Saloon. Bonfe's Auto Repair lies approximately 300 feet north and across Smith Avenue in T2 zoning. Within the immediate neighborhood and along West 7<sup>th</sup> Street, numerous T1-, T2-, B2- and B3-zoned parcels sit immediately adjacent to R4 and other residential zoning classifications.

The proposed use for the Stone Saloon is compatible with this mix of commercial and residential zoning classifications in the immediate and surrounding areas. The applicant is a 25-year resident of the neighborhood, living within approximately 250 feet of the Stone Saloon. He fully intends to address any concerns that may arise from the Stone Saloon's operations.

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### e. The proposed use is consistent with the comprehensive plan.

The site of the Stone Saloon is within an Established Neighborhood of Uppertown/West 7<sup>th</sup> proximate to the Mixed Use Corridor of West 7<sup>th</sup> Street. The comprehensive plan defines Established Neighborhoods to include “scattered neighborhood-serving commercial, service and institutional uses at the juncture of arterial and collector streets.” (LU-1) Mixed Use Corridors “include areas where two or more of the following uses are or could be located: residential, commercial, retail, office, small scale industry, institutional and open space uses.” (LU-1) The District 9 Area Plan supports “‘nodes’ of retail businesses at the intersections of West 7th and Kellogg, Smith, St. Clair, Jefferson, Randolph, and Montreal/Lexington.” (p.4) It further states that “when possible, storefronts that have been altered should be restored to, or close to, their original character. In some cases, the original building fabric may be found behind the alterations.” (p.7) Although the proposed use is not permitted by the underlying zoning of its individual parcel, it is broadly consistent with these principles set forth in the city’s comprehensive and area plans.

The Historic Preservation brochure for the Saint Paul Comprehensive Plan, cited in the preamble to the historic use variance ordinance being applied to this application, states that “the character and design features of historic properties make them desirable for new uses that recognize the community’s special identity.” Ironically, in this case it is an old use that recognizes the West 7<sup>th</sup> Street neighborhood’s special identity.

For historic context, when the Stone Saloon was initially built it was positioned along the original overland route running along the Mississippi river bluff between Saint Paul and the Fort Snelling Ferry. This unimproved but frequently trafficked route was known as the Old Fort Road. West 7<sup>th</sup> Street did not yet exist. By the close of Minnesota’s Territorial Period, a number of businesses lined the Old Fort Road, including a large limestone livery stable along Old Fort Road near the city limits, a major brewery, and several saloons. The latter included Henry Shearn’s Head Quarters Saloon on Leech Street near Ramsey Street; William Schimmel’s saloon on Wilkin Street near the Saint Paul College; Alexander Erb’s saloon and grocery at the corner of Smith (now Forbes) and Forbes (now Smith); John Fetzer’s one-story home and lager beer saloon on Forbes (now Smith) immediately across the alley from the Stone Saloon to the north; and the Cave House Saloon just past the city limits near Richmond and Old Fort Road. All of these establishments have long since vanished. While perhaps not relevant to modern land use planning, the Stone Saloon is one of the last remaining vestiges of the Old Fort Road. As such, its restoration and proposed (re)use helps define the West 7<sup>th</sup> Street neighborhood’s special identity, because it points to what came before. We take our historic assets where we find them—and if understood and used wisely, they have even greater value there.

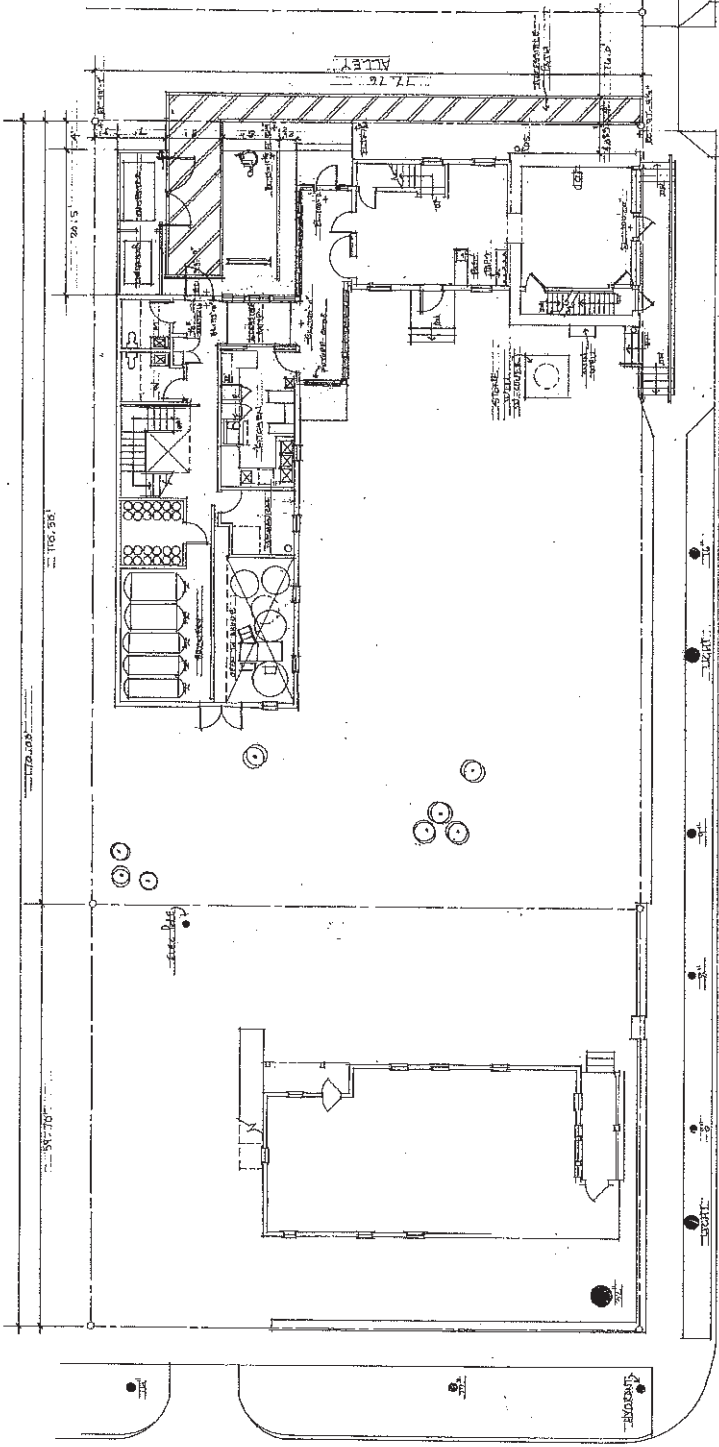
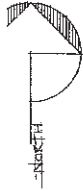








476 West 7th Street Saint Paul, MN 55102  
VUST ARCHITECTURAL SERVICES  
TOM AND ANN SCHROEDER • 154 HAZARD STREET • SAINT PAUL, MINNESOTA 55102  
RICHES & WALDMAN BUILDING, 445 SMITH AVE

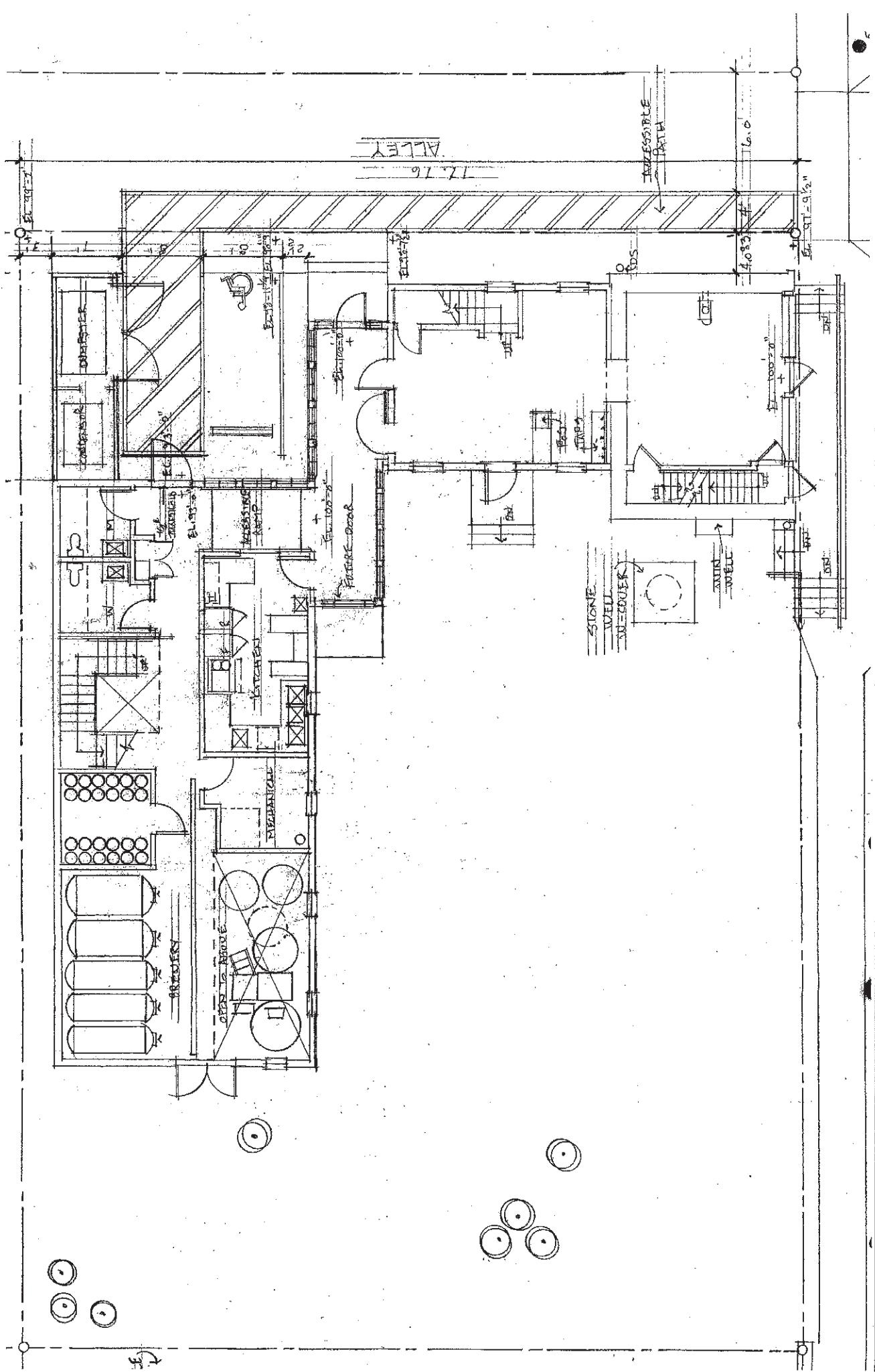


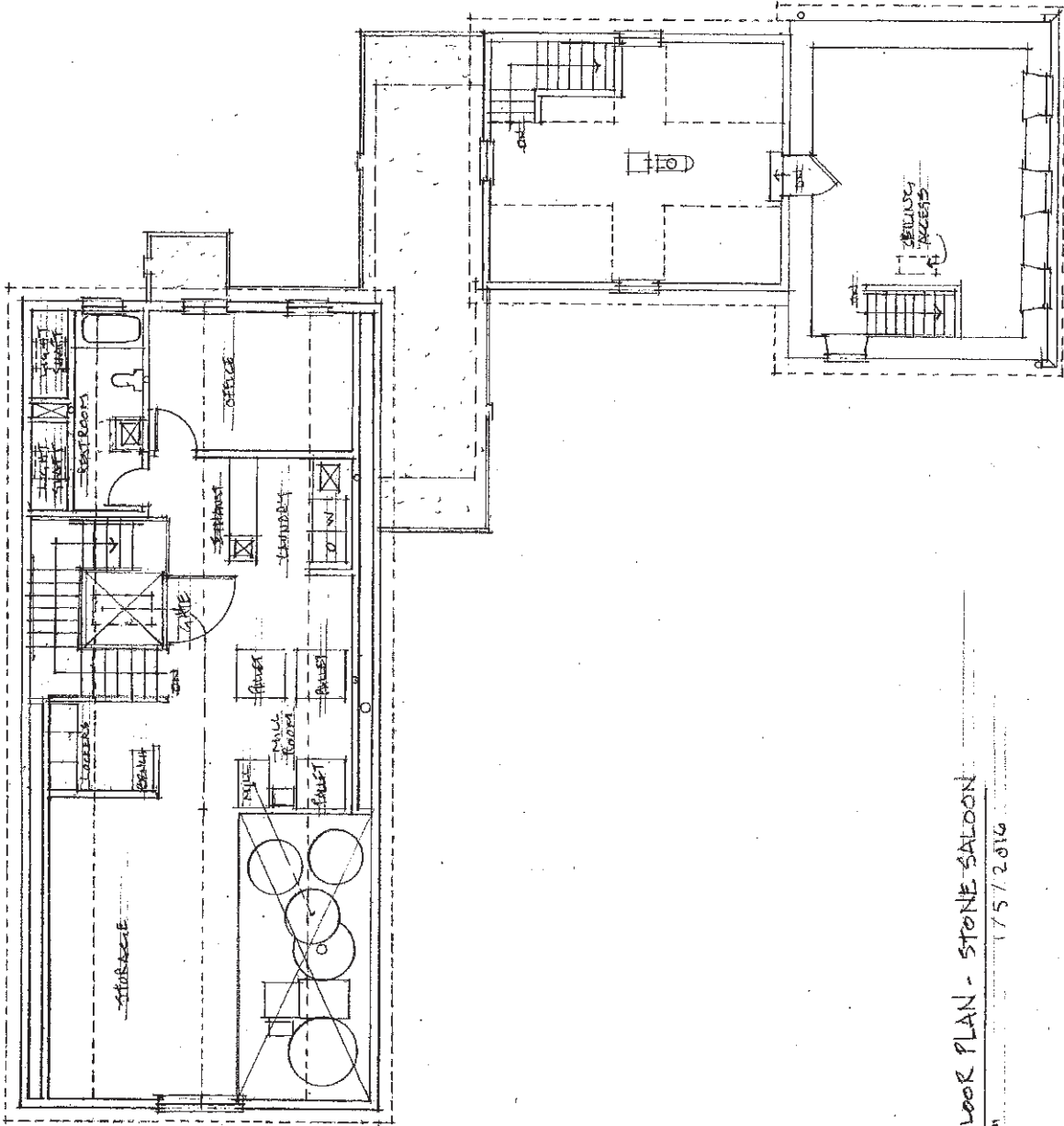
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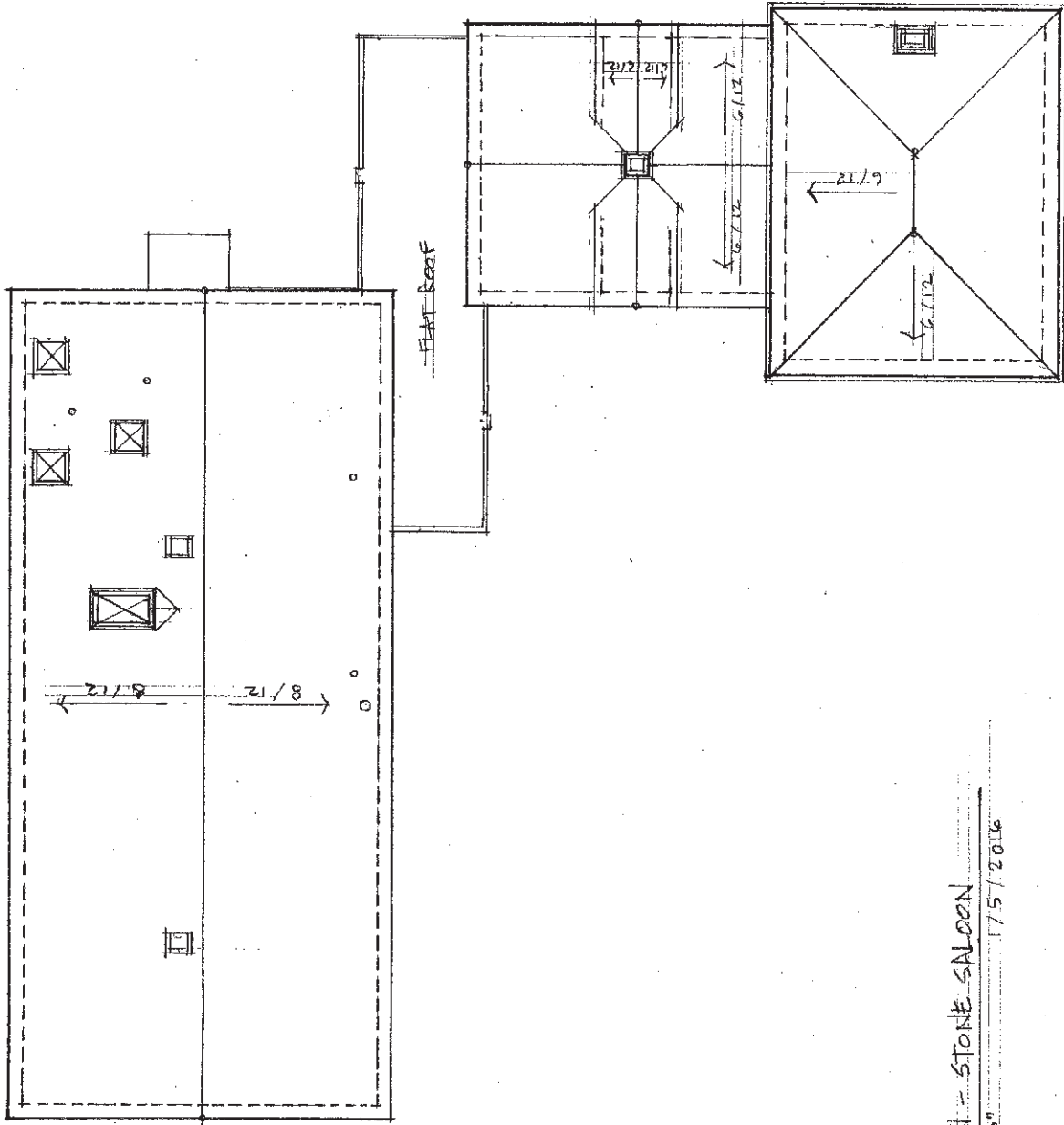
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VUST ARCHITECTURAL SERVICES







1 SECOND FLOOR PLAN - STONE SALOON  
 A-1 1/8" = 1'-0" 1/5/2016

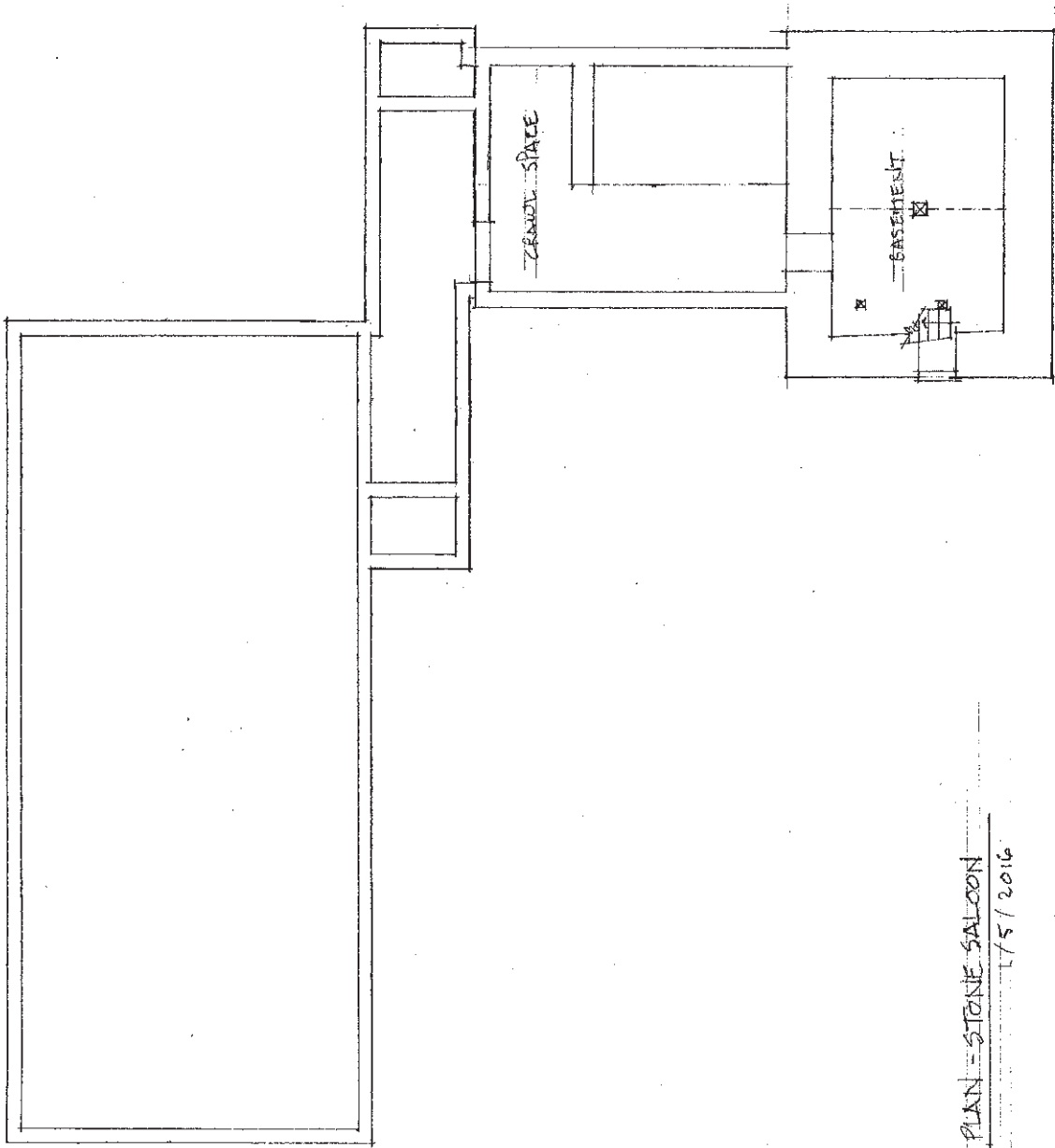


1 ROOF PLAN - STONE SALOON

A-8

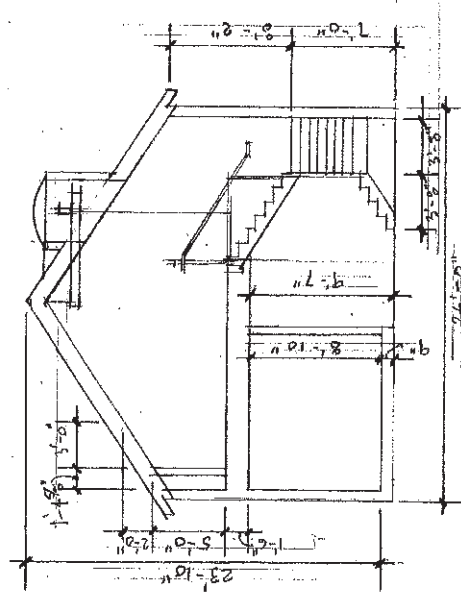
1/8" = 1' - 0"

1/5/2016



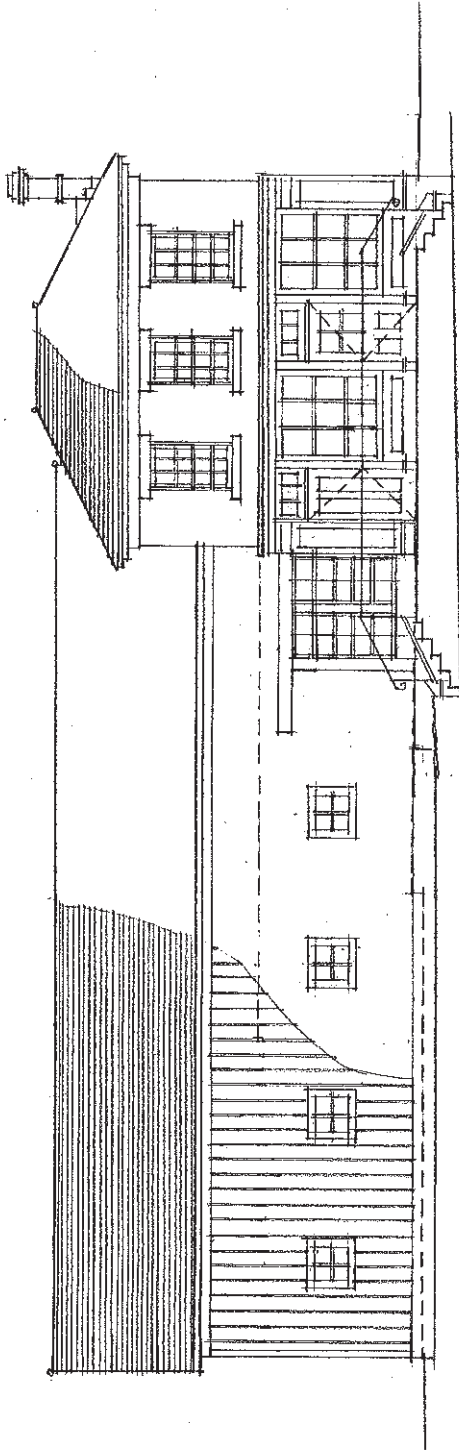
1. BASEMENT PLAN - STONE SALOON  
1/8" = 1'-0" 7/5/2016

A-9



SECTION - STONE SALOON

A-10 17'-8" x 1'-0" 1/5/2016

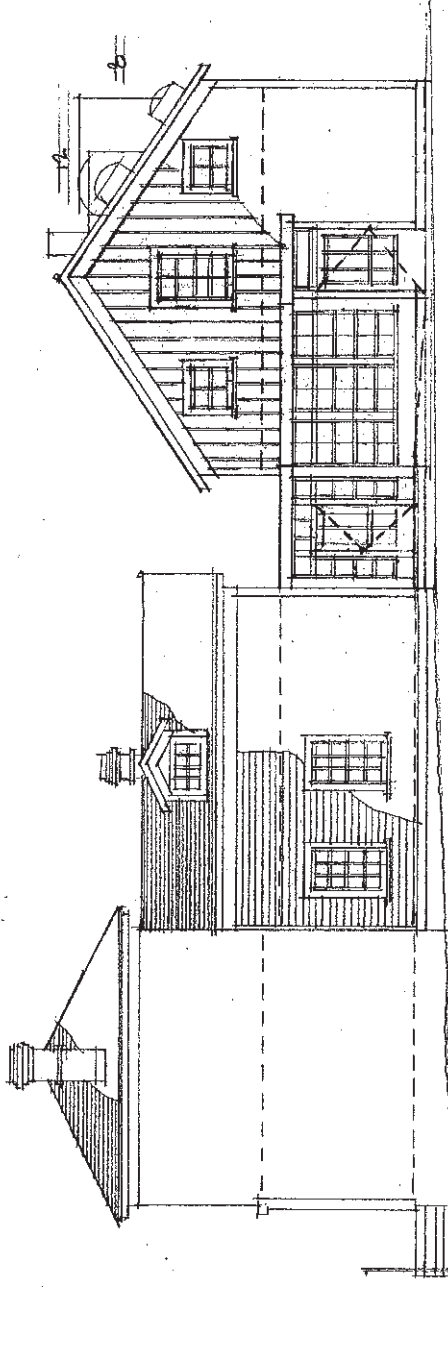


1. EAST ELEVATION - STONE SALOON

1/8" = 1'-0"

1/5 / 2016

A-11

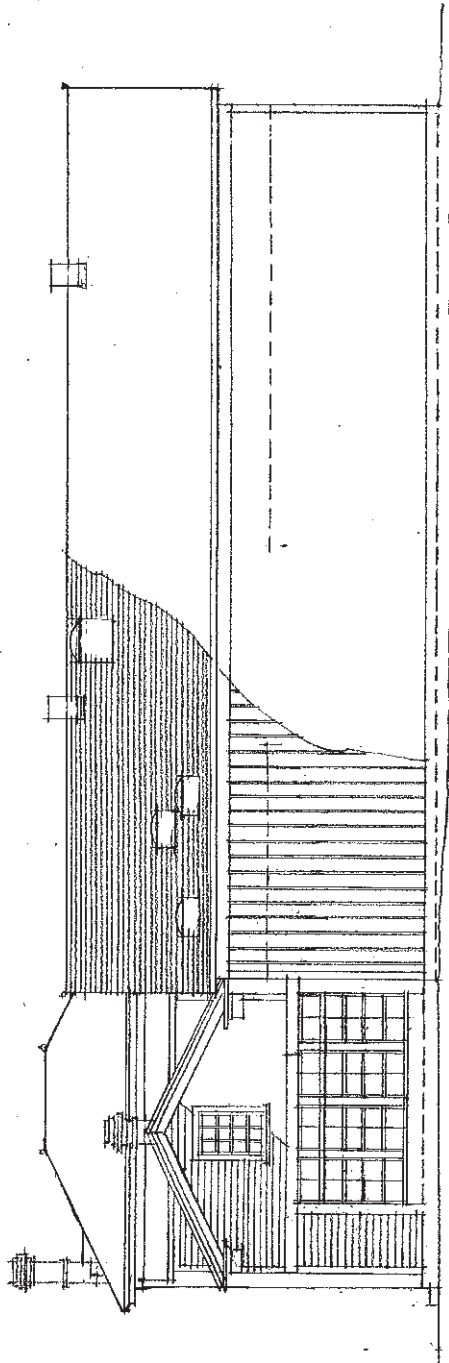


2. NORTH ELEVATION - STONE SALOON

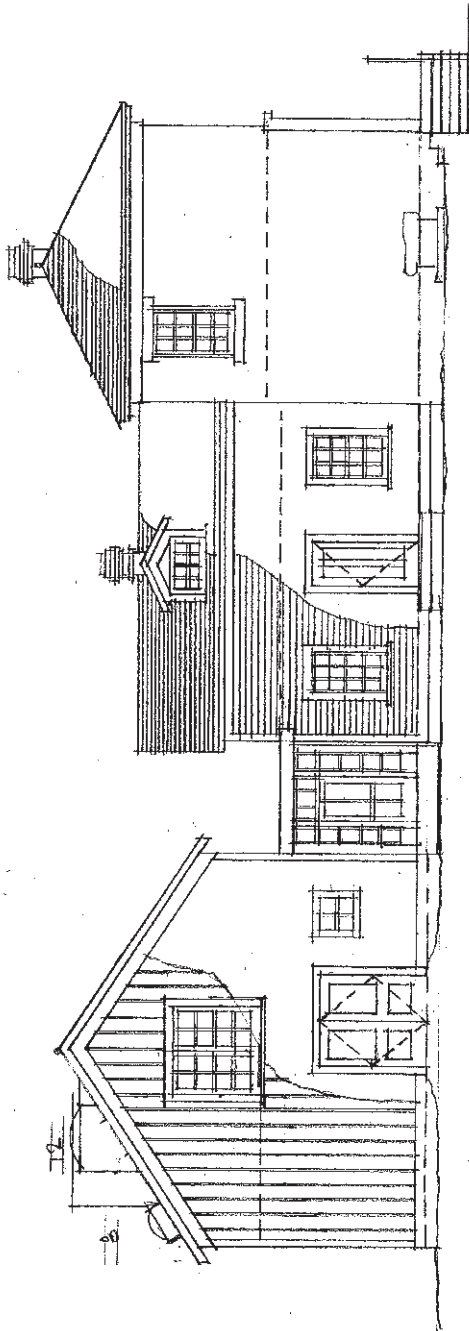
1/8" = 1'-0"

1/5 / 2016

A-11



1 WEST ELEVATION - STONE SALOON  
 A-12 1/8" = 1'-0" 1/5/2016



2 SOUTH ELEVATION - STONE SALOON  
 A-12 1/8" = 1'-0" 1/5/2016



# City of Saint Paul

City Hall and Court  
House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Signature Copy

Resolution: RES 15-1604

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**File Number: RES 15-1604**

Granting the application of Thomas Schroeder for a historic use variance to allow a tap house / microbrewery with food service in a one-family residential district. (This item will be moved to the public hearing portion of the agenda.)

**WHEREAS**, pursuant to §73.03.1 of the Legislative Code, Thomas Schroeder, in HPC File 15-037 and Zoning File 15-143-784, duly applied for a historic use variance to allow a tap house / microbrewery with food service at 445 Smith Avenue N., Parcel Identification Number (PIN) 01.28.23.41.0179, legally described as Samuel Leeches Addition Ex S 60 Ft The Fol; Lot 14 & E 1/2 Of Lot 13 Blk 9; and

**WHEREAS**, pursuant to §73.03.1 of the Legislative Code, the Heritage Preservation Commission held a public hearing on August 13, 2015 for the purpose of considering the historic use variance application, and having considered the report and recommendation of staff and testimony received, made a recommendation to conditionally approve the application and forwarded the recommendation, application, staff report, and all other materials relative to the application to the Planning Commission; and

**WHEREAS**, pursuant to §73.03.1 and §61.303 of the Legislative Code, the Zoning Committee held a public hearing on August 27, 2015 for the purpose of considering the historic use variance application, and pursuant to §107.03 of the Administrative Code, submitted its recommendation to the Planning Commission for approval; and

**WHEREAS**, the Planning Commission considered the historic use variance application at its meeting held on September 4, 2015, and made a recommendation to conditionally approve the application and forwarded the documentation and recommendation of the heritage preservation commission together with its own findings and recommendation to the City Council; and

**WHEREAS**, a public hearing before the City Council has been duly conducted at which all interested parties were given an opportunity to be heard; and

**WHEREAS**, the City Council has considered all the testimony and recommendations concerning the proposed historic use variance.

**NOW, THEREFORE, BE IT RESOLVED**, that the Saint Paul City Council hereby approves the historic use variance to allow a tap house / microbrewery with food service at 445 Smith Avenue N. subject to the following conditions:

1. City Council designation of the five properties within the Limestone Properties Thematic Nomination, including 445 Smith Avenue, as Saint Paul Heritage Preservation Sites.
2. There shall be no off-street parking provided on the subject site.
3. Substantial compliance with the site plan submitted with the application, or as amended to comply with HPC design review. Expansion of the use on the site beyond what has been proposed in this application via building additions or outdoor patios shall require separate




- historic use variance application and approval.
4. HPC design review approval of any proposed site and building repairs, demolition, alterations and new construction. All work shall meet the applicable Preservation Program and the Secretary of the Interior's Standards for Rehabilitation.
  5. Final site plan approval by the Zoning Administrator and all other necessary City approvals prior to the commencement of any work.
  6. By ordinance, the final decision of the city council shall be valid for a period not longer than two years following the date of the council's motion of intent approving the application unless a city permit(s) is obtained within that time and/or steady progress is being made to establish the use. A use variance shall terminate and any subsequent use of the property or premises shall be in conformance with the property's underlying zoning classification where the use permitted by the historic use variance is destroyed by fire or other peril.

At a meeting of the City Council on 9/16/2015, this Resolution was Passed.

**Yea:** 7 Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney, and City Council President Stark

**Nay:** 0

**Vote Attested by**   
**Council Secretary** Trudy Moloney

**Date** 9/16/2015

**Approved by the Mayor**   
Chris Coleman

**Date** 9/21/2015