

LICENSE HEARING MINUTES
Black Stack Brewing Inc., 755 Prior Avenue N, Suite 110
Thursday, April 7, 2016, 2:00 p.m.
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:00 p.m.

Staff Present: Jeff Fischbach and Eric Hudak, Department of Safety and Inspections (DSI)

Applicant: Scott Johnson, Applicant/President

Others Present: Rob Musson, property owner

Black Stack Brewing: Malt On Sale (Brewery Taproom), Liquor On Sale – Sunday, Malt Off Sale (Brewery), and Entertainment (A)

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns. The City received a letter of concern/objection which triggered the hearing. There were three possible results from this hearing: 1) recommend the City Council issue this license without any conditions; 2) recommend the City Council issue this license with agreed upon conditions; or 3) recommend the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge. The applicant will be required to sign a Conditions Affidavit demonstrating the understanding of the conditions.

DSI staff will explain their review of the application and state their recommendation. Ms. Vang said she will then ask the applicant to discuss their business plan. At the end of the hearing, she will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Mr. Fischbach stated reviewed the recommended license condition:

1. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

The district council submitted a recommendation after the response deadline indicating that given the location of the business, it will have little or no negative impact on the surrounding neighborhood and will be a great addition to the community. (*Email from district council is made a part of this record.*) Building and zoning inspection requirements were still in process; licensing was recommending approval with the recommended condition.

Ms. Vang read into the record a letter of concern received from Herbert Dupaul, 1932 Chelton Avenue, regarding parking and noise. (*Complainant failed to show for the hearing; said letter is made a part of this record.*)

Ms. Vang asked Mr. Johnson whether he understood and agreed to the proposed condition to the license. She also asked him to explain his business plan.

Mr. Johnson responded that he understood and was in agreement with the condition on the license. He chose this location and building because of the high ceilings and open space which is ideal for a brewery. He also liked that there was an abundance of parking including approximately 62 spaces directly at the entrance to his establishment. He planned to employ approximately six people to start the brewing business, including a brewmaster, and then planned to hire additional staff once the taproom was open for business. His hours of operation would be Sunday, 11:00 a.m. to 10:00 p.m.; Monday through Thursday, noon to 11:00 p.m.; Friday noon to midnight, and Saturday 8:00 a.m. to midnight. As far as entertainment, he hoped to hire live music Friday or Saturday nights but did not expect to have music every weekend. As part of the remodel of the space, he had a new fiber-insulation material sprayed on the walls to absorb the sound and the owner had installed dual-glazed windows for sound insulation as well.

Mr. Musson presented a parking site plan which included surface and underground parking for a total of 338 parking stalls. He had a meeting with DSI-Zoning the following week to review and obtain approval of the plans.

Ms. Vang stated that after reviewing the records and testimony presented, she will recommend to the City Council that they approve the license with the proposed condition:

1. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

The hearing adjourned at 2:15 p.m.

The Conditions Affidavit was signed and submitted on April 8, 2016.