



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

July 20, 2016

Ryan & North
2911 Armour Ter
St Anthony MN 55418

VIA EMAIL: ryanpaulnorth@gmail.com

RE: Request for Extension of Stay on Council Order to Remove or Repair 929 Seventh Street West

Dear Mr. North,

As I understand your situation, you will not be able to commence construction for several months, during which time your liquor license application is considered. I further understand this is because your bank will not release funds for construction until you have a liquor license. It is likely that you will only be able to start work on the building in early October, which is your actual deadline for completing the rehabilitation under the Stay of Enforcement granted by the City Council. As a result, the \$5,000 performance deposit you posted with the City is subject to forfeiture and the building is subject to demolition. You are therefore looking for a way to continue the project and keep the deposit in place. I have given this matter serious consideration.

As we discussed earlier, it is only by Council resolution that an extension of this sort can be granted, and then within the confines of the City's Code. I will recommend the City Council grant you additional time, but I believe some conditions need to be met prior to the City Council taking action. They are these:

1. Provide a revised and detailed work plan or sworn construction statement which accurately reflects the work to be undertaken, costs incurred and the timeline to be kept;
2. Provide revised documentation from the bank which documents your financial capacity to complete this project. Previous information provided to the Council did not indicate you would not have access to key construction funds until the liquor license was granted. This was and is critical information of which they should have been made aware. I believe it is also critical for the bank to understand that no matter when the liquor license is approved for issuance, it will not actually be issued until the building has its Certificate of Occupancy.
3. Provide a business plan on the theater/event space.

4. Post an additional \$5,000 performance deposit. I think the Council would be well-advised to require the full \$10,000 it is allowed under the Code for projects which have failed to meet their initial deadlines. So, while the current performance deposit is not forfeited, the stakes for successful completion on a timely basis are increased. You may be aware the previous owner was similarly situated and required to post the full \$10,000.

Ideally, the extension of time on the Stay of Enforcement can be put in front of the City Council at its September 21, 2016 public hearings. Therefore, I am asking that the above materials be provided by September 9, 2016. I will share them with Steve Magner and other appropriate City officials and let you know if anything is in need of revision. I can schedule a Legislative Hearing, if necessary, but we may be able to manage via email.

Sincerely,

/s/

Marcia Moermond
Legislative Hearing Officer

cc: Steve Magner (email)
Amy Spong (email)
Ward 2 Office (email)