

From: ericlein@gmail.com [<mailto:ericlein@gmail.com>] **On Behalf Of** Eric L
Sent: Friday, February 23, 2018 9:57 AM
To: #CI-StPaul_Ward1; #CI-StPaul_Ward2; #CI-StPaul_Ward3; #CI-StPaul_Ward4; #CI-StPaul_Ward5; #CI-StPaul_Ward6; #CI-StPaul_Ward7
Cc: Benner II, Jerome (CI-StPaul)
Subject: City Council Appeal by John Rupp -- ABZA 18-2 -- WEST ADDITION TO COMMODORE RESTAURANT

Dear City Council Members,

Today I added the following comments to the City's web page in **opposition** to City Council appeal #ABZA 18-2 -- WEST ADDITION TO COMMODORE RESTAURANT.

Traffic and vehicles in and close to the Commodore parking lot have created an existing, incessant and hazardous problem. Vehicles of non-residents, who are generally not familiar with the parking lot layout, frequently turn from Western Avenue into the Commodore's "garage access only" south driveway. Upon finding themselves trapped, drivers are forced to back into oncoming traffic on Western. While backing across the city sidewalk (at high risk to occasional pedestrians), the drivers' line of sight is almost always blocked by cars parked on Western. I have watched it happen dozens of times (I live very close and walk along Western next to the commodore two to four times every day). The near misses are especially exciting after dark...when Mr. Rupp's Commodore Bar and Restaurant attracts plenty of happy customers.

THIS IS A COMPLEX TOPIC. As I understand it, debate is raging regarding whether or not City-issued liquor license(s) and/or City-permitted construction in/after 1976 and in/after 2012 eliminated the need for Planning Commission review/approval before the "future dining room" (as shown on architects' plans) is permitted/licensed by the City to be used (in 2018 or after) as an actual dining room (filled with customers who need parking spaces for their cars).

QUESTIONS:

[1] By approving/permitting/licensing whatever the City approved/permited/licensed way back in 1976 and thereafter, did the City relinquish its right to enforce parking standards for the Commodore Bar/Restaurant as those standards existed in 1976 or 2012, or currently exist in 2018?

[2] Do/Did parking standards apply to the "future dining room," and if so, which year's standards, if any, will be enforced?

As noted by another commenter, the disputed dining room space has been beautifully restored and is an important neighborhood amenity. I agree.

At the public hearing on February 21, 2018, Mr. Rupp stated that he is appealing this case (rather than applying for a special condition use permit) because he wants to avoid tearing apart elaborate new construction work that was installed under the watchful eyes of building inspectors who said nothing when permits were first issued about a requirement to install new fire suppression pumps and sprinklers. To be forced to spend \$200,000(?) to install a fire suppression system after the City-permitted rehab was completed seems unreasonable. If Mr. Rupp acted in reliance on seemingly-valid building permits in/after 2012, and if those permits were issued before new fire suppression equipment would have been required for his Commodore spaces, it seems equitable to exempt those Commodore spaces from having to install a fire suppression system at this time. If the City did lose historic building permit records, and if City inspectors failed to give advance notice of fire system requirements, the City should clean up its act -- but not at its citizens' expense.

All that said, however, my continuing **opposition** to Mr. Rupp's appeal centers on parking problems and public safety issues (see my comments above) that, in my opinion, have become far worse since the Commodore Bar/Restaurant re-opened following its beautiful restoration.

My hope is that the City Council will determine which City-mandated parking standards are relevant to use of the "future dining room," and that the Council will vote in such a way that ensures that the Planning Commission and/or City staff will enforce those standards.

Sincerely,

Eric Lein
361 Summit Avenue, St. Paul, MN 55102
(Less than 350-feet from the " West Addition" to the subject Property)