

DEPARTMENT OF SAFETY AND INSPECTIONS
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Good afternoon John,

Thank you very much for meeting with our team Wednesday afternoon. I hope the meeting helped you better understand the situation at the Commodore building regarding the renovation and proposed expansion of the A-2 use on the main level and the remaining open permits. A building permit was obtained in 2012 for some remodeling of the restaurant facility and you raised some questions regarding whether the permit included the expansion of the restaurant into a space to the west of the primary restaurant space. Many questions were brought up in the meeting with answers still outstanding. This letter is to summarize the issues at hand to be addressed before occupancy can be allowed in the A-2 (restaurant) facility of the Commodore building.

The proposed west expansion of the restaurant to the west of the primary A-2 space is not part of the 2012 permit. The 2012 building permit, along with other complimentary trade permits for the primary restaurant, have not been finalized. The blueprints reference work to be completed inside the existing restaurant footprint with rework of two openings (enlargement of existing openings) leading into the space to the west of the primary restaurant area. Additional notes specify future work to be completed under separate permits. The plans do show that the west space addition specifically states "future west dining", meaning the space buildout in the west space expansion is not part of the scope of work. There does not appear to be any notes or specifications indicating the type of construction of the building or the type of materials to be used to apply a finished ceiling in the future space to the west of the primary restaurant space (we did view a photo of a weight room with steel bar joists exposed). Furthermore, any expansion of an A-2 use with this amount of occupants would require additional active and/or passive life-safety systems to be installed such as an alarm system or sprinkler system. Neither is identified on the approved plans to be installed, indicating that DSI had not allowed this added space to be used. No inspections were requested before the ceiling work was covered up – no permit has been obtained to date for this work. Because this was unpermitted work, our field staff did not have an opportunity to exercise our expertise and ask questions and now we are at a point where occupancy is requested by you with outstanding issues.

In addition to the above concerns, other key issues are outstanding that need to be resolved prior to occupancy of the proposed west space expansion and the primary restaurant space. The Fire Certificate of Occupancy for the primary restaurant space has been revoked because of the extended time that the facility has not been in use. A reinspection of the entire facility (primary and proposed west expansion) will be needed prior to the reinstatement of the Fire Certificate of Occupancy of the primary restaurant space. Records indicate that the proposed west expansion space of the primary A-2 use is not, nor has it ever been, part of the allowed A-2 restaurant space. Additionally, records from our office, as well as records provided by Met Council, show no SAC determination for an A-2 use in the proposed west expansion space to the west of the primary restaurant facility.

You will need to complete the following items in order to be allowed occupancy in the primary restaurant space at 79 Western Ave. N.:

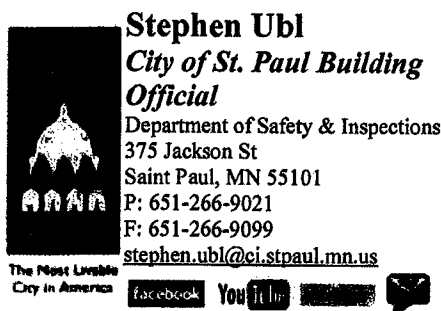
- 1.) Obtain final permits for all open permits reflective of the A-2 space.
- 2.) The Fire Certificate of Occupancy has been revoked. Coordinate an inspection from our Fire Inspection division to perform a walk-through of the facility to remove the Fire Certificate of Occupancy revocation and pay any outstanding fees associated with a Fire Certificate of Occupancy.

You will need to complete the following items in order to be allowed occupancy in the proposed west expansion space addition at 79 Western Ave. N.:

- 1.) Provide a design and apply for a permit to remodel the proposed west expansion space.
- 2.) Provide a design and apply for a permit to install an alarm system per the current 2015 building code in an A-2 occupancy.
- 3.) Provide a design and apply for a permit to install a sprinkler system per the current 2015 building code in an A-2 occupancy.
- 4.) Obtain a SAC determination of the proposed west space expansion for a restaurant. Paid all required fees.
- 5.) Provide accessibility to the proposed west expansion space.
- 6.) Provide evidence that establishes all the prior uses of the restaurant expansion space. Secure any necessary zoning approvals.
- 7.) A balance report of the A-2 occupancy space from a licensed contractor or a design professional.

We understand that this facility is in need of approval in very short order. Our staff is available for inspections should you or your contractors request our services. Please feel free to contact me for any clarification or to answer any questions that you may have.

Sincerely,



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