

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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May 25, 2016

John Rupp
6 W 5th St Suite 900
St Paul, MN, 55102-1420

RE: 79 Western Avenue - Follow up from previous orders sent by the Saint Paul Building Official and regarding the meeting with DSI Staff on 1/19/2016.

Dear Mr. Rupp:

Thank you for taking the time to meet with the Department of Safety and Inspections Director, Ricardo Cervantes, the Saint Paul Building Official, Steve Ubl and myself earlier this winter. We look forward to working with you to bring your property into full compliance with all relevant codes and ordinances.

As we previously have discussed, the western dining area of the property located at 79 Western Avenue in Saint Paul lacks a Certificate of Occupancy and as such cannot presently be used for any purpose. After our meeting, we conducted an exhaustive search of city records, in an effort to outline the steps that you must complete before you can legally occupy the above referenced space.

The goal of this letter is to provide you with a clear path to determine if the western dining area is allowed. Occupancy can ultimately be approved, by the Department of Safety and Inspections, once the following conditions are met:

1. Provide a design and apply for a permit to remove the western dining area.
2. Provide a design and apply for a permit to install an A-2 occupancy. There may be existing city fire alarm system in this building. Please contact Lynn Moore to discuss further.
3. Provide a design and apply for a permit to install a fire alarm system per the current 2015 building code in an A-2 occupancy.
4. Provide a design and apply for appropriate permits to ensure accessibility standards are met in the western dining area.
5. Make payment on the SAC determination fees identified in the Metropolitan Council letter dated December 18, 2015 (attached).
6. Provide a balance report for the A-2 occupancy space from a licensed contractor or a design professional, and, if necessary, obtain a permit to complete any additional work to gain compliance per the current 2015 building code.
7. Submit a Change of Non-Conforming Use permit application (attached) to address changes in zoning as a result of the proposed occupancy in the western dining area. Off-street parking for the western dining area will need to be addressed in the context of this zoning review.

For your reference, I have attached previous orders submitted to you. They include a copy of a letter dated October 26, 2015 and an email dated November 04, 2015.

Also, be aware that you currently hold a Liquor On-Sale license for an establishment containing 181- 290 seats. Should the number of seats exceed 290 in this facility, you will need to upgrade to a Liquor On-Sale 291+ seat license.

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license. You also currently hold a Limited Entertainment license which permits those who rent, lease or use your facility to furnish live, taped or electronically produced entertainment with or without dancing exclusively for members of the social function of which they are associated. If you yourself wish to furnish such entertainment you must apply for the desired class of entertainment license and satisfy the associated consent requirements of neighboring property owners and occupants.

Regards,



Travis Bistodeau
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cc: Ricardo Cervantes-Director, Saint Paul Department of Safety and Inspections
Steve Ubl-Saint Paul Building Official
To file