



Legislation Details (With Text)

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In control: City Council

Final action: 10/7/2015

Title: Appeal of Will Anderson, for MFCA, to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE.

Sponsors: Bill Finney

Indexes: Fire C of O Letter, Ward - 7

Code sections:

Attachments: 1. 376 Maria Ave.appeal.5-6-15, 2. 374 Maria Ave.Photos.5-1-15, 3. 374-376 Maria Ave.Anderson Ltr.5-14-15, 4. 374 Maria Ave.Correction letter.6-5-15, 5. 374-376 Maria Ave.HPC conversation log, 6. 374-376 Maria Ave.HPC Plan for Maria Pops.6-9-15, 7. 374-376 Maria Ave.Anderson Ltr.5-14-15, 8. 374-376 Maria Ave.Anderson Ltr.6-11-15, 9. 374-376 Maria Ave.Chain Emails.6-16-15, 10. 374-376 Maria Ave.Chain Emails #2.6-16-15, 11. 374-376 Maria Ave.Permit Types, 12. 374-376 Maria Ave.Niemeyer Email and Open Permits Spreadsheet.6-19-15, 13. 374-376 Maria Ave.Anderson Ltr.6-19-15, 14. 374-376 Maria.Anderson Ltr to Moermond.6-29-15, 15. 374-376 Maria.Ubl Response to Anderson Email.6-30-15, 16. 374 Maria Ave.Photos.6-4-15, 17. 374 Maria Ave.Fire Orders.6-5-15, 18. 374-376 Maria.Anderson Reply to Ubl Email.6-30-15, 19. 374-376 Maria.Johnson Ltr to Moermond.7-8-15, 20. 374-376 Maria.Moermond Email to Anderson.7-31-15, 21. 374-376 Maria Ave.Anderson-Boulware Email.7-31-15, 22. 378 Maria Spiral Stairs and Mezzanine-Balcony, 23. 374 Maria Ave.DSI Archive, 24. Eric Foster re Strip Club, 25. 374-378 Maria Ave.Ubl Memo.8-22-15, 26. 378 Maria Ave.Floor Plan.August 2015, 27. 374-378 Maria Ave.Email Chain.8-26-15, 28. 374-378 Maria Ave.Email Chain.9-1-15, 29. 374-378Maria Ave.Staff Report.8-5-15, 30. 374-378 Maria Ave.Anderson-Skarda Emails.10-7-15, 31. 374-378 Maria Ave.Anderson-Moermond-Boulware Emails.10-7-15, 32. 374-378 Maria Ave.Anderson-Ubl Email Chain.9-30-15, 33. 374-378 Maria Ave.Anderson-Moermond Email Chain.9-30-15, 34. 374-378 Maria Ave.Niver Email.10-5-15, 35. 374-378 Maria Ave.Anderson-Vang Email.10-6-15, 36. 374-378 Maria Ave.Ubl Moermond Cervantes Email.10-5-15

Date	Ver.	Action By	Action	Result
10/9/2015	3	Mayor's Office	Signed	
10/7/2015	3	City Council	Adopted As Amended	Pass
9/16/2015	2	City Council	Laid Over	Pass
9/2/2015	2	City Council	Laid Over	Pass
8/5/2015	2	City Council	Laid Over	Pass
7/15/2015	2	City Council	Continue Public Hearing	Pass
6/16/2015	1	Legislative Hearings	Referred	
6/9/2015	1	Legislative Hearings	Laid Over	
5/12/2015	1	Legislative Hearings	Laid Over	

Appeal of Will Anderson, for MFCA, to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE.

AMENDED 10/7/15

WHEREAS, in the matter of Appeal of Will Anderson for MFCA to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council ~~deny the appeal~~;

1. Allow the use of the mezzanine/balcony area for seating for up to 16 people if the following conditions are met, which are intended to provide an equivalent level of safety, as would be accomplished by allowing only a code compliant level of 5 occupants on the mezzanine level:
 - a. A curtain screening the front door of the restaurant may not be used;
 - b. The office space behind the fireplace on the mezzanine level must be vacated and returned to the exclusive use of mechanical and ventilation systems;
 - c. Emergency lighting will need to be installed in the mezzanine / balcony which can illuminate the entire area;
 - d. Signage indicating a maximum occupant load of 16 for the mezzanine / balcony shall be posted;
 - e. Signage indicating spiral staircase is for one-directional use must be posted;
 - f. The doorway 378 Maria Avenue must be available for emergency exit, unobstructed, lighted, signed appropriately and operate with an outwardly swinging door;
 - g. An alarm system shall be installed and approved by the Department of Safety and Inspections; and
 - h. Additional fire extinguishers need to be installed at the top and bottom of the spiral staircase;
2. In order to use 374 Maria Avenue as the main entrance/exit (as has been proposed in some plans), the following conditions must be met:
 - a. the door at 378 Maria Avenue must be available for emergency exiting purposes, unobstructed, lighted, signed appropriately and operate with an outwardly swinging doors; and
 - b. There shall be permanent floor marking toward both the 374 and 378 Maria Avenue entrances indicating it is an exit access path.
3. Deny the appeal pertaining to the fuel burning equipment test and require code compliance by October 15, 2015;

Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.