

PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

Community Planning and Economic Development Committee (CPED) DRAFT MINUTES

Tuesday, February 9, 2010
722 Payne Avenue, Saint Paul
CHAIR: David Syers Cped@paynephalen.org

In Attendance: David Syers, (Chair), Al Oertwig, Ryan Kapaun, Danny Garcia Velez, Buzz Wilson, Cheryl Peterson, Ed Davis, Roy Evans,
Excused Absence: Trista Matascastillo (Excused),
Other Absence: Jerry Livesay
Staff: Leslie McMurray (Executive Director – Lead Organizer)

Community Participants/Guests (Source: Sign In Sheets): Jimmy Gerding, Mike Maggi, Bonnie Maggi, Gina Maggi, Monte Hilleman, Jeff Shopek, Will Speiss, Diane Nosbish, Heidi Lilygren, Samantha Narxen, Bill Remarkec, David Theobald, Mary Theobald, Don Taylor, Jim Brewer, Scott Nesvold, Steve Olson, Shon Stromenger, Mike Grover, Larry and Jeannine Johns, Harold Fasardo, Peggy Telin, Linda Jungwirth (Commissioner Rettman's office),

1. Chair David Syers welcomed all participants and community guests and led a round of introductions. A number of residents were present for the issue of 1082 Arcade, some were present for the Forest Street and 3M road re-design, and other guests were introduced.
2. The Chair led a agenda review which included a presentation by Jim Brewer of Parks and Recreation on the Stone Arch Bridge Reconstruction. This was placed as the first item on the agenda.
3. Jim Brewer of St. Paul Parks and Recreation was introduced along with Scott Nesvold of Olson and Nesvold Engineers, to present on the current phase of reconstruction design for the Stone Arch Bridge in Phalen Regional Park. The project received 2008 CIB funds and other public funding. A public meeting on the current plans is required. An animated presentation was made that showed how construction would proceed and some of the engineering challenges of refurbishing and restoring this historic bridge. The bridge qualifies for the National Register of Historic Places. The timeline for the project was discussed, safety considerations for park users were addressed and goals of the reconstruction were presented. CPED thanked the presenters and noted interest in the future historic designation of the bridge as part of an overall community marketing

strategy. The digital presentation can be made available to District Five for inclusion on its website.

2. Review of Street Re-design plans in association with 3M Parcel 5 Monte Hilleman, St. Paul Port Authority and City Of Saint Paul staff. The Chair introduced the topic and McMurray noted that over 194 postcards were mailed from the office to residents living within the area of the re-design. Neighbors in attendance noted they received the mailed notice. Hilleman of the St. Paul Port Authority (SPPA) spoke of the overall work and process of redeveloping the former 3M site. District Five has been a key participant in this project and Al Oertwig sits on the 3M Design Advisory Task Force, and urged community notification regarding the street re-design plans. The preferred design alternative (7A) is being implemented while the historic core of buildings are marketed to potential redevelopers by the Collins Group. The project is now named Beacon Bluff. Parcel 5 is entirely situated within District Five boundaries and is one of the first sites slated for demolition and extensive clean up. Once the demolition bid is awarded, residents may expect to see heavy machinery, hear noise and so forth in relation to the project. The demolition process is heavily regulated and monitored as hazardous materials are embedded in soil and debris. Jeff Shopck of Loucks Associates presented the maps of the street re-design work. Forest will be closed for part of the summer. Some homes will be inconvenienced by work directly outside the homes as a cul de sac is constructed. The SPPA and City of Saint Paul will directly notify and work with these residents affected. Ed Davis asked about whether salvage of historic features would precede the demolition. Hilleman answered that salvage potential has been part of the site analysis and historic review. The contamination on parcel 5 will not permit much salvage. One outcome of the Project 106 historic preservation process is that elements which are salvageable may become part of the interpretive element of the new project. McMurray noted that further outreach and communication with the community and residents needs to occur around the closing of Forest and for those residents immediately impacted by reconstruction. The hours of demolition and construction should not start earlier than 7:00 a.m. nor go into the evening hours. People with a concern should call Monte Hilleman or can also call District Five of the Ward Six office. The Port was thanked for its presentation by David Syers.

4. Major Variance Application, 1082 Arcade (Formerly Pickle's Bar) Applicant William Spiess is seeking parking variance. 24 off street parking spaces required to open a bar. Mr. Spiess asks for zero off street parking spaces. (This site is not licensed for a bar, having been closed for two years). Staff explained the procedural timeline for CPED in reviewing the parking variance in advance of a license application. MN statute requires that variance requests be handled without a 60 day period from initial filing. The License application is not held to this same timeline. The License Application largely depends up one the variance being granted, so this matter is in front of the CPED Committee prior ot the License Application. However, the parking variance at the neighborhood level may be considered in light of the potential use of 1082 Arcade Street as a bar. The elements of the License Application as filed with the City include the following elements:

*Liquor License 100 seats or less; Restaurant License 51-150 seats; Alarm Permit
Liquor on Sale on Sunday; 2:00 AM closing 7 days a week; Entertainment A License*

While these license issues may be addressed in future and conditions may be placed upon the license application, what is in front of CPED at this time is the Major Variance for Parking (24 spaces required by zoning code, Applicant asks for zero). Consideration of the impact of parking is probably closely tied to the eventual use planned for this site.

Staff reminded CPED that prior to the purchase agreement for 1082 Arcade Street (formerly Pickle's Bar) the applicant and/or his representative (Mark Gallagher) came to the Payne Phalen District Five Planning Council's Land Use Committee more than one time. The applicant was informed about the type of business CPED was interested in at that site and was encouraged to proactively work with neighbors and to address parking limits and to consider the possible range of uses of this property.

Chair Syers set guidelines for discussion and invited the applicant, Bill Speiss to present his business plans and request for a variance. Mr. Speiss noted he owned a home 1.5 blocks from the East Team Station. He has run a trucking business for some years. He noted that the previous owner of Pickle's had run the property for some years and that the business failed when his kids began to run it. He acknowledged that the building was a nuisance during this time and the building had become derelict. He took on the goal of purchasing and redeveloping the property. He purchased the building in April of 2008 and covered the issues of the building with city staff. He began to work on it, focusing first on the three apartments upstairs. He hoped to make it a nice place and to have his family members help run the business. He felt the bar has been a bar for 50 years.

Ed Davis asked if he lived in the home he owns nearby. He does not. He lives in Oakdale and rents out the local home on Minnehaha.

Questions were asked about the building changes. The applicant wants to put cameras inside, outside, additional lighting and videotaping that covers the street both ways. He noted he could not control what had happened in the past.

He was asked what type of menu was planned. He noted he had a limited menu of prepackaged items that can be warmed up. He did not have funds to install the vent required for restaurant cooking. Staff made note that the City of Saint Paul does not actually permit Bar licenses but that all new bars must apply for a Bar/Restaurant license outside of downtown St. Paul. So essentially, the license is for a bar serving liquor, rather than a restaurant serving beer and wine.

Danny Garcia Velez spoke in favor of more business on Arcade and he asked that a variety of beers be available and he felt there was a definite market niche for a bar that served a variety of specialty beers.

Chair Syers asked for community members to speak to the issue.

The building and patron behavior were serious nuisances that made resident living very difficult until the bar was shut down more than two years ago.

The recent quiet has been greatly appreciated. Because this older building has no buffer with the residential area, the noise of patrons leaving the bar is very disturbing to residents.

Residents reported late night nuisance sound emanating from the building as people opened the doors, car doors slamming, drunken patrons yelling down the street, fighting, urinating and vomiting in people's yards. Police calls were up as residents tried to respond to the concerns. (D5 crime prevention staff confirmed the scope of the problems as reported by residents).

Cars honking, doors slamming, sitting in running vehicles, motorcycle start up noise late at night, fighting, drug use and sales witnessed, people come out the side door to smoke – you can hear everything. They have been drinking – they are loud.

Once the patron leaves the building they spill into the neighborhood – it becomes hard to enforce anything at that point. Calls to police were constant. The fact the building does not have a parking lot designated is a big part of the problem.

There is concern about the potential behavior associated with a bar at this corner. But the focus was put on parking.

Residents have difficulty parking as is. Adding 100 patrons at the bar will greatly strain the area's parking capacity. On the block of Magnolia from Arcade going east – 11 residents own 27 vehicles. Parking is a big issue for the area. Wondering where the tenants and employees will park? How will deliveries be made to the bar?

Sound – acoustics were poor. Resident noted that the bass notes penetrate the surrounding area and can be heard from some distance from the bar. The applicant is applying for an Entertainment A license. Cheryl Peterson confirmed this problem as did other residents. She volunteered at Pickles in the past with a charitable gambling booth. The applicant noted he had put in new insulation – that the building was not well insulated in past. He blared the speakers and tested the results – was satisfied the problem was fixed now.

Asked why he waited to deal with the essential issue of parking and license conditions to the last minute when he knew this was an issue. Applicant responded that this was a valid point, that when he bought the building he knew that some things would have to be done. He just thought that some things needed to be fixed anyway with the building structure so he worked on that. He did talk with the City and had the indication that he should go ahead and not get "the City riled up". He first worked to bring the building up to code and now is dealing with the parking and other issues.

Bill Z. noted that it seemed the project might have started on the outside in terms of dealing with the neighborhood concerns rather than on the inside.

Robert spoke on behalf of Mr. Speiss. He noted that “Bill hangs out with very good people.” He noted that the bar will be a “straight up place with no drugs sold out of the bar”. The “building is entirely redone – it’s beautiful. Really nice”. The applicant compared the building to “the Bellagio” and noted he’d sell “the right beers”.

In response to questions - the proposed closing time proposed is 2:00 a.m. 7 days a week.

Resident asked for a business plan, noting this might help to alleviate concerns. He had asked for a plan last year but felt put off in his request to the owner.

Noting he lived not far from the area, David Syers also expressed a welcome of new business in the area. He noted that a plan was really needed for winter parking. He noted Arcade’s status as a night plow route. He asked if there were plans to obtain off-street parking in the future. Since the applicant was aware of the parking needs early on, he was asked what attempts were made to establish a parking plan, other than hoping for the full variance. The applicant said he’d talked to Vogel’s and looked at other options. It was not financially feasible for him to lease parking in the area or to build parking.

Ed Davis raised concerns with the business closing late at night, noting this changed how parking is experienced by surrounding businesses and neighbors. He was concerned that there seemed to be no effort to find the 24 needed spaces or alternatives in the area. Hmong American Partnership was mentioned as an option to explore as well as other business areas.

Ryan Kapaun moved the following: To not recommend the Major Variance at this time but rather invite the applicant to request a layover with the City, and to come back to CPED in one month with a business plan and evidence of having obtained secured off-street parking plans. Bill Z. seconded the motion. Staff clarified that a public hearing date was set for February 22nd, and that a layover was required from the applicant to switch the hearing date. The motion passed by vote.

The applicant and community members were thanked for their participation by Chair Syers.

5. Results /plans regarding Payne Maryland Partnership Community Process – Staff Report: Leslie McMurray. An informal discussion was held about the meeting which occurred since the past Board meeting. Over 112 people attended and good input was obtained. The key themes of input seemed to mirror the process of the key partners (those with equity). The community had questions about the collaborative process and decision making structures in a public/private partnership – particularly as these may relate to future community outcomes and experience at the site. These are questions currently being worked out between the partners. The design input was solid and a number of good ideas were expressed, as well as enthusiasm for the creative potential of a multi-use facility. Staff noted that more culturally specific or user group focused outreach would be helpful to the overall project plans. In general. District Five will be supporting more

opportunity for public input and will work in the surrounding neighborhood with residents on projects to improve quality of life and to build up the community.

6. Review of Phalen Keller Lake Regional Master Plan – Oertwig spoke of who is representing District Five (Ogren and Oertwig are principal reps, Bill Z and McMurray are alternates). The public can attend meetings and D5 will work to assure broad public input at key points in the planning process.

7. Informational Items:

Pawn America chooses to appeal Planning Commission rejection of application to City Council. March 3, 2010 hearing date is set. No action requested of CPED. The CPED input is in public record.

Land Use Training was promoted that is offered by the City of Saint Paul for District Council leaders. All CPED members are encouraged to participate. Register through Leslie or directly with Dianne Wanner (city staff).

Draft Minutes submitted by Leslie McMurray.