


## Memorandum of Understanding

In order to assure desired outcomes in licensing and continued beneficial enjoyment of property by residents and tenants, the owners of Em Que Viet Restaurant and Bar (Em Que Viet LLC) and the adjacent property owners on the shared alley (Lincoln Avenue owners) enter into this Memorandum of Understanding.

The Lincoln Avenue owners agree to support the license application of Em Que Viet LLC for the operation of a restaurant at 1332 Grand Avenue, including a patio adjacent to the restaurant premises situated in the shared alley between Grand Avenue and Lincoln Avenue.

Em Que Viet LLC agrees that, in consideration of the Lincoln Avenue owners support for the license application and the desire to maintain the ambiance of the area in the vicinity of the restaurant premises, the restaurant will operate under the following conditions:

- Patio hours will be limited to the opening time of the restaurant to 9:00 p.m. Sunday-Thursday and 11:00 p.m. Friday-Saturday.
- Customer ingress and egress for the patio be through the Grand Avenue entrance to the restaurant, with the patio gate reserved for staff and emergency use.
- Use of the patio will be limited to a maximum of twenty-six patrons.
- Dumpster placement will minimize traffic obstruction and comply with city rules on placement of dumpsters.
- Disposal of bottles will be limited to the hours of 10:00 a.m. to 8:00 p.m.
- Ambient music on the patio is allowed but will be no louder than normal conversations.
- Live music on the patio is allowed, without amplification.
- Doors and windows opening onto the patio and alley will be kept shut to limit noise effects.
- A fence, with a 10-foot minimum height, will border the patio, constructed for sound absorption. If feasible, a rug will be placed on the patio to assist in sound absorption.

  
\_\_\_\_\_  
Maria Nguyen for Em Que Viet LLC


5/9/22  
Date

DocuSigned by:  
  
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5/9/2022

  
\_\_\_\_\_  
Kyle Le for Em Que Viet LLC

\_\_\_\_\_  
Date

  
Brandon Le for Em Que Viet LLC


5/9/22  
Date

  
Greg Steiner - 1337 Lincoln Avenue

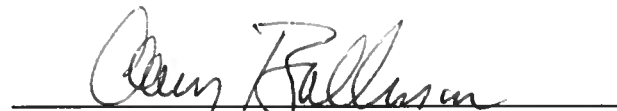
5/8/22  
Date

  
Michael Lewis - 1335 Lincoln Avenue

5/9/2022  
Date

  
Sonia Feder-Lewis - 1335 Lincoln Avenue

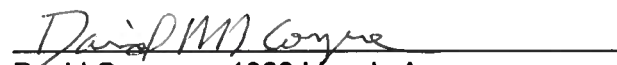
5/9/2022  
Date

  
Gary Ballman - 1331-1329 Lincoln Avenue

5-9-22  
Date

  
Christine Van Dongen - 1325 Lincoln Avenue

9 May 2022  
Date

  
David Coyne - 1323 Lincoln Avenue

5/9/22  
Date

**From:** [Maria Nguyen](#)  
**To:** [Weiner, Greg \(CI-StPaul\)](#); [Ailana T. McIntosh](#)  
**Subject:** Fwd: Memorandum of Understanding  
**Date:** Saturday, October 29, 2022 7:37:44 PM  
**Attachments:** [Signed Memorandum of Understanding with neighbors.pdf](#)

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**Think Before You Click:** This email originated **outside** our organization.

Hi Greg --

Below is the Memorandum of Understanding that was signed by our neighbors back in May of 2022. Also is the email address of the neighbors who signed the document.

After talking to my business attorney Ailana McIntosh (she is copied on this email), November 10th is the best date for the hearing.

Thank you and please let me know if you need anything else from me.

--Maria Nguyen  
eM Que Viet Restaurant and Bar  
408-580-7742

----- Forwarded message -----

**From:** **Maria Nguyen** <[marianamnguyen@gmail.com](mailto:marianamnguyen@gmail.com)>  
**Date:** Thu, May 12, 2022 at 12:19 PM  
**Subject:** Re: Memorandum of Understanding  
**To:** Gary Ballman <[garyedwardballman@gmail.com](mailto:garyedwardballman@gmail.com)>  
**Cc:** Michael Lewis <[michael.w.lewis@gmail.com](mailto:michael.w.lewis@gmail.com)>, Greg Steiner <[gsteiner5@earthlink.net](mailto:gsteiner5@earthlink.net)>, David Coyne <[coyne001@umn.edu](mailto:coyne001@umn.edu)>, Christine <[cavandongen@yahoo.com](mailto:cavandongen@yahoo.com)>

Hello Neighbors--

Thank you all for taking time out in your busy day and meeting with me and Brianna this past Monday at Green Mill restaurant. It was nice to see all of you.

Attached is our Memorandum of Understanding that has been signed by all of us.

As stated, please don't hesitate to contact me if you have any concerns.

Will let you all know of the upcoming soft opening soon.

Take care and thank you again.

--Maria Nguyen  
Em Que Viet LLC  
408-580-7742

On Sat, May 7, 2022 at 1:08 PM Maria Nguyen <[marianamnguyen@gmail.com](mailto:marianamnguyen@gmail.com)> wrote:  
Good afternoon neighbors.

What a beautiful Saturday we are all having!!

Thank you so much for agreeing to have our patio max to 26 people and changing our agreement.

I will have my partner sign who is unable to attend the meeting on Monday and bring the document for the rest of our signatures.

Thank you and see you all on Monday.

--Maria Nguyen

On Fri, May 6, 2022 at 11:52 PM Gary Ballman <[garyedwardballman@gmail.com](mailto:garyedwardballman@gmail.com)> wrote:

Mike,  
Looks good. I can agree to this. See you Monday.  
Gary

Sent from my iPhone

On May 6, 2022, at 11:08 PM, Michael Lewis  
<[michael.w.lewis@gmail.com](mailto:michael.w.lewis@gmail.com)> wrote:

Attached is the agreement, modified to match the City limit of 26 patrons on the patio. Anyone who cannot make the meeting can certainly sign the document in advance and send along that signature page to the meeting.

Michael Lewis

On Fri, May 6, 2022 at 2:02 PM Maria Nguyen  
<[marianamnguyen@gmail.com](mailto:marianamnguyen@gmail.com)> wrote:

Hi Michael -

Thank you so much for drafting the Memorandum of Understanding! After reading it, I noticed the patio number is max to 20 people and I am pretty sure it was because when I meet with you guys last year, this was the number our architect was initially thinking of. We got approved from the city of St. Paul for 26 max number of people. Would you all be ok if we could increase the max to 26 people? Please let me know.

Secondly, one of my partners has to work on Monday so unable to join us at the meeting.

Once we are all ok with patio max number of people, I can have my partner

sign the agreement via PDF and bring the document to the meeting on Monday for all of our signatures. My partner Brianna Le and who some of you have meet before will be attending the meeting with me.

Thank you.

--Maria

On Thu, May 5, 2022 at 4:06 PM Michael Lewis

<[michael.w.lewis@gmail.com](mailto:michael.w.lewis@gmail.com)> wrote:

Please find attached the Memorandum of Understanding that sets out our agreement regarding the restaurant licensure and use of the patio. I have put in three signature lines for the Em Que Viet LLC owners. More lines can be added if needed.

Michael Lewis