

LICENSE HEARING MINUTES
Los Ocampo Mexican Restaurant 2 Inc, dba Los Ocampo Mexican Restaurant
2186 Marshall Avenue
Thursday, September 19, 3:00 PM
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Legislative Hearing Officer

The hearing was called to order at 3:22 PM

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI) Licensing Inspector; Frances Birch, DSI Zoning Inspector (remote participation)

Licensee: Julian Ocampo, Applicant/Co-Owner; Emma Ocampo, Applicant/Co-Owner; Armando Ocampo, Applicant/Co-Owner; Lilia Zagal, Applicant/Co-Owner

License Application: Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Liquor-Outdoor Service Area (Patio) licenses

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a license application. This license application required a Class N notification to inform neighbors and the District Council about the application and provide them with an opportunity to submit comments. The city received correspondence of concern/objection, which triggered this hearing.

The hearing will proceed as follows: DSI staff will explain their review of the application and state their recommendation. The applicant will be asked to discuss their business plan. Members of the community will be invited to testify as to whether they object to or support the license application. At the end of the hearing, the Legislative Hearing Officer will develop a recommendation for the City Council to consider. The recommendation will come before the City Council as a resolution on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

There are three possible results from this hearing: 1) a recommendation that the City Council issue this license without any conditions; 2) a recommendation that the City Council issue this license with agreed upon conditions; or 3) a recommendation that the City Council not issue this license but refer it to the city attorney's office to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

Jeff Fischbach, Department of Safety and Inspections (DSI) - Licensing, gave a staff report for licensee Los Ocampo Mexican Restaurant 2 Inc (License ID# 20240001327), d/b/a Los Ocampo Mexican Restaurant, located at 2186 Marshall Avenue. The application is for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Liquor-Outdoor Service Area (Patio) licenses. DSI is recommending approval with the following license conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant".

2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per Section 409.02 of the City of Saint Paul Legislative Code.

The District 13 Union Park District Council submitted a letter of support. Building conditions N/A; License approved with conditions; and Zoning approved.

Hearing Officer Vang stated that before applicants can testify, she asked staff if the patio was on private property.

Fischbach: Yes.

Hearing Officer Vang then asked Zoning for its review and recommendation.

Frances Birch, Department of Safety and Inspections (DSI) - Zoning, gave a staff report. The area is zoned T3 – Traditional Neighborhood. This is a permitted use. There are no additional conditions required by the zoning code. This property is also located in the Merriam Park Special Sign District and a sign permit for this business was issued and approved by zoning. Zoning recommends approval with the recommended licensing conditions.

Hearing Officer Vang also asked if this business was a change in ownership.

Emma Ocampo: It used to a barbeque place, The Bark and the Bite.

Fischbach: That business was also a liquor establishment.

Julian Ocampo: This will be the business's 5th liquor license establishment. We do liquor training with all our front house staff. We are a family friendly restaurant. I grew up in St Paul and we all stay close to neighborhood nonprofits. We've been giving back to those organizations as well.

E. Ocampo: This is also our 3rd location license in Saint Paul. Our other locations here are at the intersection of University Avenue and Dale Street, and near where I-94 meets White Bear Avenue. In the suburbs, our locations are in Woodbury and Maplewood.

Hearing Officer Vang asked about staffing.

E. Ocampo: We will have 25-30 employees; most will be part-time. There will be 10-12 full-time kitchen staff. The front of house will be more variable since there will be a good number of students we hire.

J. Ocampo: A lot of employees use the bus to get to work.

E. Ocampo: Most employees at our St. Paul locations get to work using transit.

Hearing Officer Vang asked how the new location will be managed.

Armando Ocampo: We will all be working there at the beginning and then we will name two managers.

J. Ocampo: We have someone who's been with us for 15 years who will be the manager for the back of house. For our roles: Lilia helps maintain quality control for the food, I help with front of house managing, Emma handles the human resources duties, and Armando handles the maintenance and heavy equipment.

A. Ocampo: I do a little bit of everything as well.

J. Ocampo: We're a family business but we've outgrown the model of only having family handle managerial work across 5 locations.

Hearing Officer Vang asked about the size of the patio.

E. Ocampo: It's a deck. Maybe 10 feet by 30 feet. We talked with Black Coffee and Waffle, who shares the building, about combining the patio space. There is access between our businesses for apartments upstairs.

Hearing Officer Vang also asked about storage of trash and recycling.

E. Ocampo: Yes. There is a communal receptacle for our building and the one next door, which has the same owner. Our grease storage will be inside using new technology and will be sucked out with a pump. We use a similar process at two of our other locations.

Hearing Officer Vang asked about lighting.

E. Ocampo: We will just have café lighting style fixture outside.

J. Ocampo: It won't be obnoxious.

Hearing Officer Vang asked about patio hours being the same as the interior restaurant hours.

E. Ocampo: Yes.

Hearing Officer Vang asked about the business hours.

E. Ocampo: 10am – 10pm, Sunday – Thursday; 10am – 12am Friday – Saturday.

A. Ocampo: The patio may close earlier if people aren't using it depending on the weather or how buggy it is.

E. Ocampo: The seating for patio will be done by the host.

Hearing Officer Vang asked how they have dealt with customers over time as it relates to liquor service.

E. Ocampo: The biggest issues have been people attempting to underage drink. Every year we send employees to a liquor training to deal with things like fake IDs and such. Issues have mostly been the result of staff not feeling confident, and we want to build their confidence.

A. Ocampo: Our managers can also train our employees on how to handle issues.

E. Ocampo: Only employees aged 18+ can touch alcohol, and we still want to make sure they are trained properly even when they aren't yet 21.

Hearing Officer Vang asked whether they've had to refuse liquor service.

E. Ocampo: Yes.

A. Ocampo: Managers and bartenders have had to cut people off, give them a glass of water, and call a ride service.

Hearing Officer Vang asked when they plan to open.

E. Ocampo: When we get the liquor license. We have the food license. We could open without alcohol right now, but it's tough because people might expect it when they walk in. We will want 2 weeks of lead time after we get our liquor license. Payroll is set up as well.

A. Ocampo: We are applying for the liquor license because it complements the food. We are not a nightclub or a bar.

J. Ocampo: We never had an issue with the midnight closing that Mr. Fischbach told us was required. We don't plan to stay open late. We want drinks that pair with food.

E. Ocampo: There is demand for late night food, and right now Pizza Luce is one of the only options nearby.

A. Ocampo: We want to introduce our food to the neighborhood.

Hearing Officer Vang next referred to the STAMP Activity Report and the Police Incident Report, encouraged the applicants to look them over to understand the property's history, and asked if they had any questions.

E. Ocampo: No questions.

Hearing Officer Vang next read into the record the letter of concern from Steve Anderson who owns the auto service business across the street at 2178 Marshall Avenue. He voiced concerns about traffic, noise, and safety. She then gave the applicant the opportunity to respond.

E. Ocampo: These are valid concerns. This person is across the street from us. I had a very aggressive run-in with him recently and gave him my email and phone number. We are sensitive to his concerns and want to have a good working relationship with our neighbors. We also will have signs on our doors about where people can park. North-south roads are where people can park, along with the 10 parking spots in the lot.

J. Ocampo: During the day, we have 5 spots, and then when Black Coffee and Waffle closes earlier in the day, we will have 10. No spaces are allotted for the tenants. Tenants can apply for permitted street parking. Most don't have cars though.

Hearing Officer Vang asked who handles the snow plowing of the parking lot in the winter whether that was their responsibility or the landlord.

E. Ocampo: Yes, it's the landlord.

Hearing Officer Vang asked whether snow would be removed entirely to free up parking spaces.

E. Ocampo: Snow will be removed offsite. There isn't an ideal place for snow to be moved to.

Hearing Officer Vang stated that if they plan to expand the liquor service in their patio space to their neighbors' spaces to connect back with DSI as that will need review.

A. Ocampo: It's just an idea at this point.

Fischbach: It would require a new public notice if the liquor service area expands.

E. Ocampo: *(when asked about video surveillance cameras)* We have cameras everywhere as well, including the back patio.

Hearing Officer Vang stated that after reviewing the records and considering the testimonies from all parties, she will recommend to the City Council that they approve the license with the following agreed-upon conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant".
2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per Section 409.02 of the City of Saint Paul Legislative Code.

The hearing adjourned at 3:54 PM.

The Conditions Affidavit was signed and submitted on September 19, 2024.