



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1024

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Dear Resident and/or Neighborhood Organization:

The Department of Safety and Inspections (DSI) has received an application for a license for a business in your area. You are being notified because this request requires neighborhood notification.

Details regarding this matter are given on the reverse side of this letter. You will have 45 days from the date this notice was mailed to express any objections. The response deadline is given on the reverse side of this document. If you have any objections to the application as described on the reverse side, **please send your objection(s) (with your telephone number) in writing to:**

Legislative Hearing Officer
310 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 55102

Or email to: LH-Licensing@ci.stpaul.mn.us

If objections are received, a hearing will be scheduled before a legislative hearing officer. If you have sent in an objection, you will receive notice of the time, place and date of the scheduled hearing. At that hearing, the Legislative Hearing Officer will take testimony from all interested persons. At the end of this hearing, the Legislative Hearing Officer will make a recommendation to the City Council as to whether the license request should be approved or be referred to an administrative law judge for further review. The City Council will have the final authority to grant or deny the license.

If you have any questions regarding this matter, please contact Kris Schweinler, DSI Inspector III, at 651-266-8989, or me at 651-266-9106.

Sincerely,

Jeff Fischbach
DSI Inspector III

LICENSE APPLICATION NOTIFICATION

License Number: 20160003846

Application for: **Add a Liquor-Outdoor Service Area (Patio) license to the existing**
Liquor On Sale - 101-180 Seats, and Liquor On Sale - Sunday licenses

License at: 173 Western Ave N

Licensee: Fitzgerald's LLC, doing business as Fitzgerald's
Jim Crockarell, Vice President, 612-735-7099

Existing 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 City Zoning Code (parking requirement) and Section 409.02 of the City of Saint Paul Legislative Code.

Recommended Additional License Conditions:

3. Any outdoor activities related to an outdoor seating area shall comply with applicable State and Local rules and regulations, including but not limited to Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code.

Deadline for Response Date: Friday, January 11, 2019 at 4:30 p.m.

If you have any objections to the license application, you must respond in writing by Friday, January 11, 2019 to:

Legislative Hearing Officer
310 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 55102

Or email to: LH-Licensing@ci.stpaul.mn.us

If you have any questions, please contact DSI Inspectors Ross Haddow or Jeff Fischbach at 651-266-8989.

Notice Mailed: Wednesday, November 21, 2018



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9040
Web: www.stpaul.gov/dsi

November 21, 2018

Fitzgerald's
Attn: Jim Crockarell
375 Jackson St Ste 700W
St Paul MN 55101

RE: License Application for Fitzgerald's LLC, doing business as Fitzgerald's, ID # 20160003846,
Located at 173 Western Ave N / **Add a Liquor-Outdoor Service Area (Patio) license to the existing**
Liquor On Sale - 101-180 Seats, and Liquor On Sale - Sunday licenses

Dear Applicant:

Our review of your application for a license is in process. Notification has been sent to the community organization and neighbors for the area in which you intend to operate giving them until **Friday, January 11, 2019** to voice any objections to your license application. If no objections are received, and you have satisfied the petition of support requirement referenced below and returned a signed license condition affidavit, DSI will forward your application to the City Council for review. If approved by the Council, your license could be issued (pending completion of any unmet requirements).

If objections are received a hearing will be scheduled before a legislative hearing officer. You will receive notice of the time, place and date of the scheduled hearing from the Legislative Hearing Officer. At that hearing, the hearing officer will take testimony from all interested persons and will make a recommendation to the City Council as to whether the license(s) should be approved or be referred to an administrative law judge for further review. The City Council will have the final authority to grant or deny this license application.

Requirements including, but not necessarily limited to the following must be met prior to the issuance of your licenses:

- Sign and return one copy of the enclosed license condition affidavit acknowledging the conditions that will be placed on your license(s). A return envelope has been included for your convenience.
- Obtain DSI Zoning Division Site Plan Review approval. You may contact Tia Anderson, DSI Zoning Division, at 651-266-9086 with questions about the Site Plan Review process and what required information must be submitted to make application/complete the review process.
- Obtain a Sewer Availability Charge (SAC) determination from the Metropolitan Council Environmental Services (MCES) for the addition of outdoor private property patio seating. Information about the SAC program may be found at the following website <http://www.metrocouncil.org/Wastewater-Water/Funding-Finance/Rates-Charges/Sewer-Availability-Charge.aspx> Payment of any SAC fee owed would be submitted to DSI via issuance of a Building Permit prior to final license approval.
- Obtain all necessary building and/or trade permits related to any work associated with the establishment of this use, and all required inspection approval(s) related to these permit(s). Only licensed trade contractors authorized to perform work in that trade (e.g., plumbing, electrical, ventilation, etc.) may obtain permit(s) and/or perform work in such trade.

- Complete the petition of support requirements. DSI has determined you obtained thirty-five (35) out of a possible eighty-nine (89) supportive signatures, or in other words thirty-nine percent (39%) support. Enclosed please find a list of properties highlighted in pink that you failed to obtain supportive signatures from. You may satisfy the petition requirements by completing one of the following options:

Option #1:

- Submit additional supportive signatures from owners of all private residences, dwelling and apartment houses demonstrating you have obtained at least ninety (90) percent of the possible supportive signatures for each of the license types.

Option #2:

- Submit additional supportive signatures from owners of all private residences, dwellings and apartment houses demonstrating you have obtained at least sixty (60) percent of the possible supportive signatures for each of the license types **and**;
- Submit a written explanation which clearly demonstrates that you made a good faith effort to fulfill all petition requirements.

Option #3 (for a petition with less than 60% support):

- Submit a detailed written explanation which clearly demonstrates that you made a good faith effort to fulfill all petition requirements **and**;
- Submit in writing how you believe the results of the petition attempt showed a generally favorable disposition from the surrounding community toward the proposed extension of liquor service to the outdoor private patio seating area. Please note, DSI also recommends you submit additional supportive signatures since it will help demonstrate favorable surrounding community support to the City Council when they review this application.

If you have any questions, please contact Ross Haddow, DSI Inspector III, at (651) 266-9143, or me at (651) 266-9106.

Sincerely,



Jeff Fischbach
DSI Inspector III

enc.

- c. Christine Hagen, Applicant Representative, via email at christine@madisonequities.biz
Chuck Repke, Consultant, via email at chuckrepke@aol.com

Disclaimer: This letter is not an indication that your application will be granted. This letter is intended simply as notice of the ongoing process of your pending application.