



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

August 22, 2016

NOTICE OF INTENT TO DENY LICENSE

Thomas Forti, Owner
Sunrise Market, LLC
1085 Grand Avenue
St. Paul, MN 55105

RE: Liquor Outdoor Service Area (Sidewalk) license application submitted by Sunrise Market, LLC d/b/a Sunrise Market, LLC for the premises located at 1085 Grand Avenue in Saint Paul
License ID #20160000646

Dear Applicant:

The Department of Safety and Inspections (DSI) will recommend denial of the Liquor Outdoor Service Area (Sidewalk) license application submitted by Sunrise Market, LLC d/b/a Sunrise Market, LLC for the premises located at 1085 Grand Avenue in Saint Paul. The basis for the recommendation is as follows:

On May 24, 2016, you were sent an email from Jeff Fischbach stating that you had not completed the application process for your Liquor Outdoor Service Area (Sidewalk) license. He stated the application lacked the following information:

- **A petition of support from neighboring property owners located within 300 feet of the property**
- **A proposed sidewalk seating plan drawn to scale, fully dimensioned, and showing all obstructions on the sidewalk**
- **Payment of the \$60.00 Obstruction Permit application fee**
- **A certificate of insurance showing general liability insurance coverage, specifically stating the sidewalk café would be covered, listing the City of Saint Paul as additional insured and DSI as a certificate holder.**

On July 29, 2016, you were sent a follow-up letter from Jeff Fischbach stating your license application was still pending because it was incomplete. In order for DSI to continue processing your application, he requested that you pay the appropriate fee and submit the information listed above.

You were given until Wednesday, August 17, 2016, to submit the payment and required information. As of today's date, DSI has not received either the payment or information required to complete your license application.

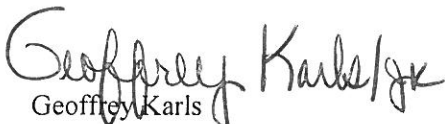
At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Thursday, September 1, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You can submit the required information and \$60.00 Obstruction Permit fee to complete the application process. If this is your choice, you should send payment and information requested directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, September 1, 2016**. A self-addressed envelope is enclosed for your convenience. Payment of the fee and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Thursday, September 1, 2016**. The matter will then be scheduled before the City Council to determine whether to deny your Liquor Outdoor Service Area (Sidewalk) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, September 1, 2016**. Information should be directed to the attention of Eric Hudak. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me by Thursday, September 1, 2016, I will assume that you are not contesting the denial of your Liquor Outdoor Service Area (Sidewalk) license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,


Geoffrey Karls
Assistant City Attorney

cc: Eric Hudak, DSI Licensing Manager
Thomas Forti, 1287 Sargent Avenue, St. Paul, MN 55105
Theresa Nix, Community Organizer, Summit Hill Association, 860 St. Clair Avenue, St. Paul, MN 55105-3210

