

Summit Hill Association

October 11, 2012

Marcia Moermond
Legislative Hearing Officer
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15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102

District 16 Planning Council
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Saint Paul, Minnesota 55105
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**RE: 1096 Grand Avenue – The Lexington
License Number: 20110000059**

Dear Ms. Moermond:

On behalf of the Summit Hill Association/District 16 Planning Council, I am writing to let you know that the SHA Zoning & Land Use Committee met on Monday, October 8, 2012 to review and make recommendations regarding the application submitted to the city by The Lexington restaurant at 1096 Grand Ave., requesting support for adding a Liquor-Outdoor Service Area (Patio) license to permit the sale, service & consumption of alcoholic beverages on the rooftop at the rear of the building in an area of approximately 2000 square feet in size for an establishment having the following existing licenses: *Liquor On Sale – 181-290 Seats, Liquor On Sale – Sunday, Entertainment (A), Restaurant (5) – 151 and Over, Restaurant (D) – Add-on (Bar Only), and Sidewalk Café.*

The ZLU Committee understood that the applicant's petitioning efforts had secured over 60% of the surrounding property owners within 300 feet of the restaurant as per city code; thus not necessitating support from the local district council. However, SHA Staff had contacted DSI Staff previous to the hearing on 10/11/12 to confirm the percentage; and in that conversation, DSI Staff was only able to confirm, due to some uncertainties, that the applicant had secured "at least" 59%. (Note: the next day, Oct. 9th, DSI Staff was able to confirm applicant had secured 60%.)

For the October 8th ZLU local hearing, the surrounding community had been notified. As a result, there were two households speaking to concerns about possible late night noise, parking, or outdoor music; and also one nearby business owner who supported the application. There was a good discussion between the ZLU Committee and both the applicant's representative and the one concerned resident attending regarding these issues.

In light of the concerns raised by the two households, and in an effort to balance the concerns of residents with the applicant's request for this new license, the ZLU crafted a compromise recommendation to the City that was approved on a vote of 4-3. Per SHA policy, as there is not a full SHA Board meeting before the Oct. 12, 2012 City deadline for comments, the recommendation of the ZLU represents the position of the Summit Hill Association.

The Summit Hill Association therefore "conditionally" recommends to the City the approval of the license application for adding a Liquor-Outdoor Service Area (Patio) license to permit the

sale, service & consumption of alcoholic beverages on the rooftop at the rear of the building in an area of approximately 2000 square feet in size at 1096 Grand Avenue. The conditions would be that liquor service on the rooftop patio end at 9 p.m. Sunday through Thursday nights; and end at 11 p.m. Fri & Sat. nights. The applicant representative, Mr. Ed Ryan present, verbally indicated that he would accept those proposed conditions.

If you have any questions about this recommendation, you may contact me at the SHA office 651-222-1222.

Sincerely,

Jeff Roy, Executive Director
Summit Hill Association/District 16 Planning Council

CC: Michele Hickey
Ed Ryan
Councilmember Dave Thune
DSI Deputy Director Christine Rozek