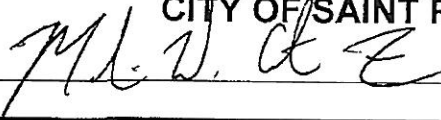


**RESOLUTION
CITY OF SAINT PAUL, MINNESOTA**

Presented by



1 WHEREAS, Coaster Dreams LLC d/b/a Ngon Vietnamese Bistro, located at 799 W. University
2 Avenue in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of a liquor
3 outdoor service area (patio) license; and

4
5 WHEREAS, the District Seven Planning Council, has agreed to the waiver of the notice
6 requirements; and

7
8 WHEREAS, 25 residential properties are within a 300 foot radius of licensee's proposed patio, and
9 licensee has obtained consent from 12 of those properties (48%); and

10
11 WHEREAS, licensee visited all the addresses on several occasion and was unable to obtain
12 signatures from bank-owned and registered vacant buildings to obtain signatures from the remaining
13 residences but was unable to contact them and received no negative responses to the request for consent;
14 and

15 WHEREAS, the Council finds that these efforts constitute a good faith effort to fulfill all petition
16 requirements, and that the results of the attempts to obtain signatures showed a generally favorable
17 disposition from the surrounding community toward the proposed licensed activity; and

18
19 WHEREAS, the Council finds that issuance of the license will not interfere with the reasonable use
20 and enjoyment of neighboring property and residences and will not bear adversely on the health, safety,
21 morals and general welfare of the community; and

22
23 WHEREAS, the Council finds that the application is in order and there are no grounds for denial of
24 the license and that the failure to grant the waiver and the consequent delay in approving the license would
25 cause exceptional and unusual hardship to the license applicant; and

26
27 WHEREAS, the licensee agrees that in the event a complaint is received prior to the expiration of
28 the 45-day period and the complaint provides a basis for adverse action against the license, that the
29 Department of Safety and Inspections may direct the licensee to immediately discontinue all operations
30 until a public hearing is scheduled, and that the licensee shall comply with said directive; now, therefore,
31 be it,

32
33

34 RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code
 35 are hereby waived and a liquor outdoor service area (patio) license is issued to Coaster Dreams LLC d/b/a
 36 Ngon Vietnamese Bistro, located at 799 W. University Avenue in Saint Paul, subject to the agreement
 37 stated above.

	Yeas	Nays	Absent
Bostrom			✓
Carter	✓		
Harris	✓		
Helgen	✓		
Lantry	✓		
Stark	✓		
Thune	✓		
	6	0	1

Requested by Department of:

Safety and Inspections
 By: Christine A Rozek

Approved by the Office of Financial Services

By: _____

Approved by City Attorney

By: Kathleen Twigg

Approved by Mayor for Submission to Council

By: _____

Adopted by Council: Date 4/22/09

Adoption Certified by Council Secretary

By: Mary Erickson

Approved by Mayor: Date 4/28/09

By: Dr. Muller