

4/15/2010

STATEMENT OF Robert DeBellis, 781 Lincoln Avenue, St. Paul, MN 55105
April 15, 2010
Legislative Hearing, Wild Onion Liquor License Extension

Everything I am about to say I believe to be true and presented to this forum in the spirit of open community debate.

Introduction

We are gathered here today to discuss the Wild Onion's request for an extension of its liquor license to serve alcohol on the patio. 42 owners of property that they occupy as their primary residence signed individual petitions in opposition to the Wild Onion's request.

Please refer to the Big Map & Exhibits 1 and 2

While it is recognized that renters are important stakeholders in the community, they represent a more transient population with a significantly smaller and a shorter term commitment than the owner-occupied population. In other words they can vote with their feet at little or no expense.

History

The Wild Onion under its present name and ownership, namely Jay Salmen and Joe Schaefer, in the neighbors opinion, have been the prime violators of the neighborhood's right to quiet and peaceful enjoyment almost from the start. And after many years of special neighborhood meetings facilitated by the Summit Hill Association, it is the general impression expressed by many that violations of their quiet and peaceful enjoyment are escalating.

The Summit Hill Association can document the many meetings over the years to address these problems, and by their own admission the inability to solve it.

Position

The granting of any license is viewed as a privilege, as opposed to a right, that comes with certain obligations and responsibilities. It is the general view that the Wild Onion has not lived up to its obligations and responsibilities in its present license in regards to the neighborhood by offering a venue that does not clash with the quiet and peaceful enjoyment of the neighborhood or at the very least requires them to take proactive steps to significantly mitigate the impact of their patrons. This is evidenced by the fact that a significant portion of "the deal" brokered by the Summit Hill Association addresses this issue.

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The owners of the Wild Onion have stated that the issue of the liquor license extension and the problems after 9:00PM – Closing are separate issues. We disagree; why give the Wild Onion additional privileges, obligations and responsibilities when in the opinion of many it clearly cannot handle the ones presently in place?

Summit Hill Association

The Summit Hill Association is acting in good faith and feels they are trying to solve a long-running problem. The Wild Onion's behavior has improved; thus the Summit Hill Association feels these are reasons enough to enter into "the deal". Summit Hill Association bases the improved behavior on the facts like two assaults at the Wild Onion in the past year compared to twelve the year prior. The Zoning and Land Use Committee of the Summit Hill Association also related that police calls are lower but it was stated by one member that there are still twice as many calls to the Wild Onion address then the address of any of the Wild Onion's peers on Grand Avenue. It is the sentiment of those living around the Wild Onion that upon exiting the patrons need to act in a more responsible manner.

The Land Use and Zoning Committee and the Board of the Summit Hill Association ignored the pleas of the neighbors not to recommend approval, again thinking they can solve the problem. Many board members said, "we know how you feel and know what you are going through" which the neighbors respectfully feel illustrates the boards lack of appreciation of the history in this situation and demonstrated how uninformed the members are.

Refer to Exhibit 3

The Wild Onion

The Wild Onion's owners have stated on a number of occasions they there is no problem or the problems are caused by patrons from other establishments; never once taking full responsibility. Their tag line to those claims of innocence; it cannot be proven that these are the patrons of the Wild Onion. At midnight on most weekend nights the Lexington is closed as is D'Amico, Brasa, Punch and La Cucaracha. There are a few patrons (less then 20) in Salut, Bonfire, Dixi's, Sai-Ya and Grand Tavern. While it varies, most of the Grand Avenue establishments that sell alcohol are closed before 1:00AM. Billy's and the Wild Onion are open till 2:00AM with crowds at Billy's it has been observed usually dropping sharply after 1:00AM. On Tuesday, Friday and Saturday nights the Wild Onion is usually crowded right up to closing that starts at 2:00AM. It appears that the owners of Wild Onion are asking us to suspend or ignore reality

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Conclusion

So why would **42** owners of owner-occupied residences sign the petition? These people are successful professionals who live in homes ranging in price from \$250,000 to over \$1,500,000. They include doctors, senior business managers, professors, lawyers, architects, scientists, business owners and retirees. These are reasonable people that want only one thing. **That one thing is: to enjoy their homes in relative peace, free from the almost constant nuisance caused by the Wild Onion.** We are all aware that living near a commercial street may sometimes be challenging but not every Tuesday (birthday night), Friday and Saturday nights. Those nuisances include: the grouping of twenty or more people gathered in the smoking area that acts as a megaphone into the surrounding area when some patrons enthusiastically engage in debate or revelry creating a high volume of noise; in the parking lot and in the neighborhood the yelling, the yelling of profanity, the litter and vandalism that has caused people to live at night in the front or back of their houses away from the disruption of the Wild Onion; the times that highly inebriated individuals bang on front doors demanding entry because they are very confused or the moments of personal intimacy that are occasionally on display and witnessed. These pattern of behavior should not have to be tolerated anywhere in St. Paul.

Some remember when the Wild Onion served alcohol on the patio when it did not have a license to do so, ignoring the law, which they fear it may do again.

Refer to Exhibit 6

Many of the signers are motivated to sign because they feel this maybe one of the last chances they have to be heard on this issue. Many are concerned that once the license extension is granted that the Wild Onion will fight to keep it no matter what and that it is easier to stop now then it will be later.

Comments from Signers

As can be imagined many comments were made in the process of collecting the signatures. Four are listed below.

(There are owners in the condos at the corner of Grand and Grotto that have had to replace their windows with expensive sound proof windows because of the Wild Onion.

It would be nice if smokers were not allowed to take drinks from the bar to the patio after 9:30PM. The patio should be patrolled by staff for excessive noise.

[Type text]

Refer to Exhibit 4

Over the years I have heard or observed these owners being told exactly what they should do. The late Nick Mancini, who attended a special neighborhood meeting facilitated by the Summit Hill Association years ago, listened to the complaints of the meeting participants and told Jay Salmen to listen and take care of the neighbors. In what seemed to be an endless stream of meetings, some local luminaries have attended; including the Western Area Commander of the St. Paul Police Department and then head of DSI for St. Paul and others, all leading up to today.

The Wild Onion has been cited on three occasions in the last several years for liquor license violations and found guilty in two of the three cases. The Wild Onion owners are now stating that their establishment is being discriminated against, witnessed by the fact that Brasa and Punch have outdoor beer and wine privileges and the Wild Onion does not. The owners have threatened to sue the city if denied a license.

The owners of the Wild Onion claim that their establishment is no different than any other establishment on Grand Avenue with a Liquor License but there are many differences. Below are listed the three most important.

1. The owners of the Wild Onion have claimed they are the only restaurant east of Lexington on Grand Avenue that does not have an outdoor liquor license. This is not the case; Grand Tavern, Bonfire, Café Latte and the Lexington do not have outdoor liquor licenses; in fact there is no outside seating at any of these establishments.
2. The four establishments that have full liquor licenses and the others that serve beer and wine are oriented differently and do not interface the adjacent residential area in the same manner that the Wild Onion's physical plant does. All Wild Onion outdoor spaces for patrons and parking face directly to the south into the adjacent residential area. In most cases the other restaurant's own building acts as a block for noise into the adjoining neighbors' property. All but one close much earlier than the Wild Onion. **Refer to Exhibit 5**
3. The average age of the patrons at the Wild Onion is probably identical to any restaurant on Grand Avenue throughout the course of the day until about 9:00PM. After 9:00PM the average age drops to college age youth and younger working adults. The atmosphere has been described from 9:00 or 10:00PM until the crowd completely disperses just around or before 2:25AM, as resembling the warehouse district in Minneapolis. The Wild Onion promotes itself as a birthday, bachelor and bachelorette venue attracting a more youthful and less alcohol-experienced customers later in the night.

diff license tax?

The owners of the Wild Onion are profiting at the expense of their neighbors by not properly policing their business.

I just wish it would stop.

[Type text]

>>> "Robert DeBellis" <robertstar@comcast.net> 3/2/2010 9:18 AM >>>
SHA Zoning & Land Use Committee:

I am Bob DeBellis; I live at 781 Lincoln Avenue directly behind The Wild Onion. You have probably read my wife Fay's email concerning this subject and I agree whole heartedly with her views and then some. I am not going to rehash what she said but bring emphasis to a real concern I have about The Wild Onion's effort to gain a license to serve alcohol on their patio. It is my belief that Joe Schaefer and Jay Salman view dealing with the complaints about their establishment from the neighbors and dealing with the Summit Hill Association as a nuisance and a cost of doing business. As long as they are making money they really do not care about their place in the community and they will provide lip service, make promises and in the end do as little as possible to improve the situation. On Wednesday night before the Zoning & Land Use Committee they will tell you anything in order to gain permission to serve alcohol on the patio from a year long trial, to limits on the hour of operation. A reasonable person might agree because well if they are willing to do a test or put limits on the hour of operation that is, well reasonable. I would agree with this idea but I have dealt with Joe and Jay for a long time and know they do not keep their word. I fear that any opportunity to serve alcohol outside is going to be taken advantage of and exacerbate the problems that already exist. I urge you to turn down their application completely and below is why.

* Some years back, 5 or 6 year maybe longer, The Wild Onion first applied to open the patio for food and liquor service. The application was approved for food service but not liquor service. Joe and Jay's response was to sell alcohol on the patio anyway in violation of the permit. The serving of alcohol only stopped when a couple of years after they started engaging in this illegal activity they were reported to the city. Some would say they made an innocent mistake but Joe Schaefer has been in the bar business a long time and knows very well what the rules are. No this was a calculated risk they were willing to take and one the suspected would not have too great a consequence. They were warned and stopped, they were correct in their assumption about consequences

* Joe and Jay have claimed that they do not allow party bus passengers to disembark in front of The Wild Onion and if they do they are not allowed admittance in their establishment. Again not true, I have witnessed on numerous occasion buses outside The Wild Onion's front door and people flowing out of the bus into The Wild Onion. We also have suffered from the noise and distraction of the buses parking in front of our house many times on the side of the street that does not allow parking.

* Joe Schaefer has claimed after we complained that the garbage trucks never show up before 7:00AM in the morning. The reason he is so confident; the GPS on the trucks always show that they are never there before 7:00AM. Well Joe, what are those big trucks that are yellow, sometimes white with NITTI SANITATION painted on the side doing in The Wild Onion parking lot at

just after 6:00AM at least once a week?

* Jay Salzman has stated on many occasions and he probably will Wednesday night before the committee that he is willing and wants to work with the neighbors. Joe and Jay informed the SHA a couple of years back that they will no longer attend meetings that concern their establishment. Again displaying the attitude we will do what we want and do care about the ramifications of their actions. Last year The Wild Onion attempted to get enough residents to sign a petition to allow out alcohol sales. They were received less than 15% of the signatures necessary, as I recall the neighbors have spoken.

* Joe Schaefer said that he would hire a company to sweep the alley, never happened.

* The Wild Onion claims that they patrol the parking lot at closing in an effort to get patrons to leave quickly and quietly. The Wild Onion was sighted recently for not properly policing the parking lot and found guilty of that violation. The Wild Onion claims that they walk the neighborhood after closing to pick up garbage and other litter left by their patrons. I frequently pick up cans and bottles thrown over the fence. How do I know; I have witnessed it happen from my office window that overlooks 80% of the parking lot and cleaned up the broken glass that has a break pattern that indicates it came from over the fence.

* On the subject of violations; the parking lot policing violation is one of three issued to The Wild Onion over the last four years or so. The first violation concerned the over serving of a customer. The other violation that The Wild Onion was found guilty of involved the service to a minor.

* Over the last 12 months The Wild Onion has had 332 police calls that have been documented by the St. Paul Police Department. The 332 do not include the numerous calls to police from the neighbors concerning noise and ruckus behavior by overly excited and quite possibly over served patrons of The Wild Onion.

* If The Wild Onion is just a fun place that desires to fit into the neighborhood why are police patrol cars stationed in the parking lot across the street at closing on many Tuesday, Friday and Saturday nights. This goes to a bigger issue; how much of the St Paul's limited resources are Joe and Jay willing to expend to quell the bad behavior of their Wild Onion patrons. The police have better things to do than ensure that these, for the most part, younger people, do not hurt themselves, others and disrupt the neighborhood.

* Joe and Jay claim that The Wild Onion does not promote drinking in excess. Go to The Wild Onion website www.wild-onion.net <<http://www.wild-onion.net/>> and read about the Birthday House and the Bachelorette Headquarters and the "Complimentary Beverage" which in the past talked about it being filled all night. I have witnessed at closing time people walking out of The Wild Onion that have a hard time not falling down, maybe they are very tired. I have witnessed patrons of The Wild Onion be sick upon leaving the bar, maybe they have the flu.

* Joe and Jay claim to be responsible owners. I do not agree. My wife and I have supported 2 establishments being granted an outdoor liquor licenses in the past two years. We support the neighborhood's local businesses at every opportunity. We do not patronize The Wild Onion. I have lived here through four owners of space that The Wild Onion now occupies. I cannot wait for them to sell out.

On Wednesday night there will be many people who have witnessed many of the things I have. They have been at many of the SHA meeting where Joe and Jay said what I have written above. I think I can confidently say that we do not have a vendetta against Joe Schaefer and Joe Salman, we just want them to control their employees and patrons so that their presents is not a burden or nuisance to their neighbors. Unfortunately, they do not understand or probably better put "don't give a damn". So until their actions change dramatically; meaning no 332 police calls, no screaming yelling kids disturbing the night, no violations and keeping their word - NO PATIO LIQUOR LICENSE.

Questions/concerns call me at 612 840 4522.

>>> "Robert Debellis" <robertstar@comcast.net> 3/10/2010 7:14 AM >>>
Friends in the "IT'S TIME TO PEEL THE ONION "CAMPAIGN:

We need to make noise. One of the tactics of the enemy is to wear us and SHA down by repeatedly attempting approval, fabrications and meetings. Tomorrow night. 3/11/10, the full SHA Board will discuss and vote on the recommendation of the Zoning and Land Use Committee. If this approval should indeed make it to the city wide level we must demonstrate our steadfast determination to oppose and eventually defeat the approval to our city fathers. I highly encourage you to be there. If you cannot attend please send me your proxy or email the Summit Hill Association. You can even send the email you sent last time and say you still feel the same if not stronger about the opposition.

Yet Again, another call to action!

BOB

612 840 4522

From: Robert Debellis [<mailto:robertstar@comcast.net>]
Sent: Monday, March 08, 2010 7:55 PM
To: 'Robert Debellis'; 'DeBellis, Fay M'; 'Tom Richardson'; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; 'summithill@visi.com'; 'Silberhorn, Susan'; 'Diane Hilden'; 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; 'Dave.Thune@ci.stpaul.mn.us'; 'legislativehearings@ci.stpaul.mn.us'; 'patricia.lindgren@ci.stpaul.mn.us'; 'cpcsummithill@visi.com'; 'nebaridoc@yahoo.com'; 'amyteresareid@yahoo.com'
Subject: RE: Wild Onion Patio License to Serve Alcohol

Friends in the "ITS TIME TO PEEL THE ONION" CAMPAIGN:

Thursday night 3/11/10 the full board of the Summit Hill Association will vote on the recommendation of the Zoning and Land Use Committee. Time 7:00PM at Linwood. 15 minutes for and opposed views will be heard. We can possibly stop the enemy in their tracks.

WE AGAIN MUST RALLY THE TROOPS SO OUR
OPPOSITION IS KNOWN!

As I guess you have gathered by now, I am very much opposed a patio liquor license in any way, shape or form. NO WAY, NO HOW! If you cannot be present send me your proxy so when I say I speak for more then myself against the enemy, it cannot be challenged.

This time from Shakespeare's Henry V, Act III

"Once more into the breach dear friends, once more"

As always in these matters, your servant,

Bob DeBellis

Mobile 612 840 4522 Home 292 0369

From: Robert Debellis [<mailto:robertstar@comcast.net>]
Sent: Saturday, March 06, 2010 7:37 AM
To: 'DeBellis, Fay M'; 'Tom Richardson'; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; summithill@visi.com; 'Silberhorn, Susan'; 'Diane Hilden'; 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; Dave.Thune@ci.stpaul.mn.us; legislativehearings@ci.stpaul.mn.us; patricia.lindgren@ci.stpaul.mn.us; cpcsummithill@visi.com; nebaridoc@yahoo.com; amyteresareid@yahoo.com
Subject: RE: Wild Onion Patio License to Serve Alcohol

Take heart my friends, as Winston Churchill said:

"We shall not flag or fail.

"We shall go on to the end, we shall fight in Summit Hill, we shall fight on the lawns and sidewalks, we shall fight with growing confidence and growing strength in our neighborhood, we shall defend our right for quiet enjoyment whatever the cost my be, we shall fight on the beaches (alleys), we shall fight on the grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender - - - - -"

We are a good bunch of people that have worked hard to contribute to the revival of this neighborhood and rightfully deserve better treatment. If others cannot appreciate our claims they must be forced to. Using their tactics of evasion, shading the truth, obscuring responsibility and misrepresentations these two little people think they can push us around.

Well its time to stand up to them in the same manner as England did it its hour of need 70 years ago against the _____. Let our blazing shiny sword of righteousness come down on these serpents' necks. Our rally cry will be,

"IT'S TIME TO PEEL THE ONION"

Some of us eat guys like this for lunch everyday. Some of us know people that can come to our aid. Some can organize rings around anything. Other have talents they have not called on for years, that are so fair superior to anything our enemy can muster, the problem might be eliminated in a flash. It is time to focus our intellects, our talents and our resources on straightening these guys out once and for all. If we do not take decisive action now, we will be doomed to suffer for years to come. This is our neighborhood, we live here; the enemy comes to profit at our expense. Its time to return the favor and be as monstrously unreasonable in our demands as the enemy is.

"IT'S TIME TO PEEL THE ONION!"

The first order of business is to enlist and rally our neighbors to our cause. Lets make a special attempt to reach out to kindred suffering souls in the high-rise condo on Grand. Lets search out the like minded souls in the apartments on the corner. Careful here, some residents think the idea is "cool". I would like in less then a fortnight to present to the "task force" a petition that demonstrates overwhelming opposition to the patio and the Onion. This is only the first step; other things are in the works. I will keep you advised.

I appreciate that most of you do not suffer the same high degree of disruption that I do living directly behind the enemy. But I do know, from talking with many of you, that you are impacted and are not happy about it and certainly adamantly opposed to any escalation in disruptive behavior. I predict that if the enemy gets their way, the escalation is inevitable.

The fact that a license is required for alcohol service on the patio indicated that this activity has responsibilities and privileges attached to it by our city government. Its time to take it to the city level, not so much for them to act but to keep them in the loop and prepare them if it should reach that level. The enemy wants to take all the privileges but none of the responsibility.

From my bunker overlooking the Wild Onion. More to follow.

Bob DeBellis

612-840-4522

From: Robert Debellis [<mailto:robertstar@comcast.net>]
Sent: Tuesday, March 02, 2010 8:01 PM
To: 'Robert Debellis'; 'DeBellis, Fay M'; 'Tom Richardson'; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; 'summithill@visi.com'; 'Silberhorn, Susan'; 'Diane Hilden'; 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; 'Dave.Thune@ci.stpaul.mn.us'; 'legislativehearings@ci.stpaul.mn.us'; 'patricia.lindgren@ci.stpaul.mn.us'; 'cpcsummithill@visi.com'; 'nebaridoc@yahoo.com'
Subject: RE: Wild Onion Patio License to Serve Alcohol

TWO CORRECTIONS: 1. Jay Salman should be spelled Salmen. 2. The Wild Onion garnered less than 33% of the necessary signatures or that is threshold established for the process we are now engaged in. For some reason I remember getting 15%, either way, The Wild Onion didn't come close by a big margin.

From: Robert Debellis [<mailto:robertstar@comcast.net>]
Sent: Tuesday, March 02, 2010 9:19 AM
To: 'DeBellis, Fay M'; 'Tom Richardson'; 'Robert Debellis'; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; 'summithill@visi.com'; 'Silberhorn, Susan'; 'Diane Hilden'; 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; 'Dave.Thune@ci.stpaul.mn.us'; 'legislativehearings@ci.stpaul.mn.us'; 'patricia.lindgren@ci.stpaul.mn.us'; 'cpcsummithill@visi.com'
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Questions/concerns call me at 612 840 4522.

>>> margaret gadiant <margaretgadiant@msn.com> 3/2/2010 4:28 PM >>>

Tom,

Here are the answers to the questions that I had. I asked Jeff if he could answer them for me. When I asked if I could forward them to the neighbors, as you suggested, he verified with Christine Roxek questions 1,2,3,6.

He did not address 4 & 5 with her.

I will try to make the meeting on Wednesday evening.

We had a party bus parked in front of our house last Saturday evening when we arrived home at about 11:30.

We also had a young man banging on our door and ringing our bell at about 4 a.m. September of last year.

The police were called and they picked this young man up and took him away. They said that they often have calls like this, but they are usually in the University of St. Thomas neighborhood. The young man was hard to understand, but it sounded like he fell asleep outside somewhere and was very disoriented.

The next morning we discovered the porch carpet had been vomited on - it was not salvageable after trying to hose it down. We could not identify where the young man had been over served, but the situation was both startling and disconcerting. Activity may be getting worse, rather than better in the neighborhood. I cannot identify the Wild Onion as having served this young man, but they are the first establishment I think of due to proximity, reputation, and attitude.

Margaret

1. What is the current time for closing of the patio service?



Jeff said he thought that the time for closing service was around dusk

- (Would that be around 10 p.m.?)

2. How would they enforce no liquor on the back smoking patio?

Jeff said enforcement of "no liquor" in the smoking area in back would have to be worked out if the liquor license for the patio was approved. Currently they have someone who is monitoring the back door to the smoking area, so no one brings alcohol outside.

3. How much more dining area could they move up to the front of the building ?

Jeff said they currently have the ability to serve food on the sidewalk area without removing any of the current outdoor dining if they choose to use the sidewalk cafe license.

4. What could be put in the back area if the smoking was moved to the front door?
Jeff said Don't know
(perhaps more dining?)

5. Would they want to work with the neighbors to move activity from the back of the establishment to the front?
Jeff said I have no idea on this, they haven't indicated their plans at this point.
-(How does that affect the Grand Ave Condo residents?)

6. How often can they make these requests?

Jeff said as often as they want, from the sounds of it.

From: tomrichardson@ens.net
To: gillette8178@msn.com; rich@rlaffinarch.com; margaretgadiant@msn.com;
Betsy.E.Turner@HealthPartners.Com; summithill@visi.com; silberhorns@comcast.net;
cpcsummithill@visi.com; fay.debellis@morganstanley.com; robertstar@comcast.net;
merritt.clappsmith@gmail.com; DonCall1@ens.net; Patricia.Lindgren@ci.stpaul.mn.us;
metj745@hotmail.com; Bill.Pesek@ci.stpaul.mn.us; JSY@pobox.com; markhsutherland@aol.com;
mclahaven@aol.com; Christine.Rozek@ci.stpaul.mn.us; slduvand776@yahoo.com;
MACARROLLKW@Comcast.net; carolesha@aol.com; dcharlest@gmail.com
Subject: Wild Onion Patio Liquor License Request
Date: Sun, 21 Feb 2010 16:12:46 -0600

Dear
Neighbors:

As
you probably know by now the Wild Onion has again applied for a license to serve
liquor outdoors on their patio. A
letter from the City and postcard hearing notice from the Summit Hill
Association (SHA) have gone out to neighbors. SHA will consider the application at 2
meetings as follows:

Zoning
& Land Use Committee Hearing - Wednesday, March 3, 7 PM, Linwood Rec Center
SHA
Board Meeting - Thursday, March 11.

The
March 3 meeting is very important as this is where the application will be
discussed in detail, testimony will be taken from the applicant and neighbors,
and a position will be formulated for the SHA Board to consider. As the Wild Onion does not intend to
seek a majority of neighbor's approval, they will need SHA approval to go
forward for consideration by the City.
Their application dies without SHA approval.

I've
had discussions with the SHA Board Chairman and Exec Director as well as
Christine Rozek of the City regarding the application. The Wild Onion is also meeting and
discussing the application with them to see if some common ground can be found.
If approval is recommended and/or
occurs, it can be done with conditions designed to address specific
concerns. Ideas that are currently

out there that I'm aware of include:

If approval is considered, City Staff recommends a condition that the patio be closed and cleared by 9:30 PM

By condition, liquor service can be limited to just the seating area, with liquor disallowed on the smoking patio at all times.

The license can be approved on a 1 year trial basis.

Eliminating the smoking area in back and requiring smokers to use the sidewalk in front is being discussed.

Moving the outdoor dining area to the front of the building has been discussed.

It is possible to place a condition on the license which allows liquor service only to folks who have ordered food, however, enforcement of such a condition can be difficult.

The City Code requires that conditions be agreeable to the Wild Onion. In my mind the SHA still has control however as it can disapprove the application if the Wild Onion will not agree.

Personally, Don and I are trying to keep an open mind on the application. In theory we don't have a problem with outdoor food service that includes a drink similar to Braza or Punch Pizza. We are very concerned that if the patio has a "bar atmosphere" it will greatly impact our quality of life. The Wild Onion does not have a good track record and has been the cause of ongoing disturbance in the past. Eliminating the smoking patio in back of the Wild Onion would give folks on Lincoln quite a bit of relief from noise but may cause more problems on Grand Avenue.

It is important that all neighbors voice their opinions and concerns on this. If you can, please attend the Summit Hill Association meetings. Also, please submit your opinion in writing. I'd recommend sending it to all of the following:

Summit Hill Association:
Jeff Roy - summithill@visi.com

Diane

Hilden - cpcsummithill@visi.com

City

Council:

dave.thune@ci.stpaul.mn.us

patricia.lindgren@ci.stpaul.mn.us

Legislative Hearing

Officer:

legislativehearings@ci.stpaul.mn.us

City

Staff:

Christine.Rozek@ci.stpaul.mn.us

I've included several neighbors on this e-mail but it is only a fraction of the folks close to the Wild Onion. Please pass the word to your neighbors, especially the folks in the nearby condominiums. Don and I will not be able to attend on March 3 and will submit a letter.

Tom

Richardson

Don

McCall

786 Lincoln

Avenue

Flahaven' <<mailto:mcflahaven@aol.com>> ; 'Christine Rozek' <<mailto:Christine.Rozek@ci.stpaul.mn.us>> ;
'Sandy Duvander' <<mailto:slduvand776@yahoo.com>> ; 'Michael
Carroll' <<mailto:MACARROLLKW@Comcast.net>> ; 'Pesek Carole' <<mailto:carolesha@aol.com>> ; 'Doug
Taylor' <<mailto:dcharlest@gmail.com>> ; 'Bob DeBellis' <<mailto:rdebellis@enduranceamerica.com>> ;
Dave.Thune@ci.stpaul.mn.us <<mailto:Dave.Thune@ci.stpaul.mn.us>>
Sent: Sunday, February 21, 2010 10:30 PM
Subject: RE: Wild Onion Patio Liquor License Request

Bob & I both will respond in writing to the folks listed below. To share with you all our general thoughts and to encourage everyone to respond; let me share some of our thoughts. As the folks that live directly behind the Wild Onion we experience the noise beyond any acceptable levels all too frequently. I can only imagine alcohol on the back patio at anytime making matters much worse. I fear the summer!

What is the Wild Onion? It's drunk, over-served, unsupervised young men fighting and yelling in the parking lot and the street. It's the party buses on our street. It's the garbage at 6am. It's the home of the famous power hour for the local college kids. A kid died in Mankato last year from power hour. Will one die this year at the Onion? Its Tuesday Birthday night: come drink free all night long if you bring paying friends. Its damage to our property. Splat balls on our homes. Our American Flag stolen. Our pots in the summer stolen or broken and our children's pumpkins smashed. Its drunk loud trespassers on our porch at 2am. It's always something. It's never nothing.

The owners of the Onion have proven to us all time and time again that they are unwilling to honestly participate in finding a place for us to all co-exist happily. They have lied over and over again about what they would do. These aren't stand up guys. One has been sued for sexual harassment. Then his lawyer got sued for the same thing at the same bar, the Moose. The other owner was Petter's lawyer for a time. That same "gentleman" did a veiled threat of me through my former boss. The other almost punched out my husband at the courthouse after a hearing last year. This is who we are dealing with. There is no compromise with men of no morals.

Conditions on a license? Garbage after 7am? Not happening. Adequate patrol of their parking lots? Not happening. Patrol of the neighborhood? I have been yelled at by their bouncers at 2am. Who are those guys patrolling? Party buses not allowed? They must park in front of our house so their riders have to sober up on their way back from Billys. We have seen the police reports that substantiate over-serving, fighting and sometimes under-aged served kids. Note these kids get in cars and drive away in our neighborhood. We'll get more recent police reports for the meetings coming up.

By the way that fence they so kindly put up: Was that for us? Or, was it to hide their parking lot? It doesn't work for noise abatement so I think it was to block the view since one of the sanctions they received last year was due to a police officer being able to see through he former iron fence bars into the parking lot.

So, that is our experience and our view. We'd appreciate anyone taking the time to respond to the appropriate folks below. Fay

From: Tom Richardson [<mailto:tomrichardson@ens.net>]
Sent: Sunday, February 21, 2010 4:13 PM
To: Susan Gillette; Rich Laffin; margaret gadiant; Turner, Betsy E; summithill@visi.com; Silberhorn, Susan; Diane Hilden; Debellis, Fay; BOB DEBELLIS; Merritt Clapp-Smith; McCall Don; Pat Lindgren; Margaret E.T. Johnson; Pesek, Bill; Jeff Young; Mark Sutherland; Maureen Flahaven; Christine Rozek; Sandy Duvander; Michael Carroll; Pesek Carole; Doug Taylor
Subject: Wild Onion Patio Liquor License Request

Dear Neighbors:

As you probably know by now the Wild Onion has again applied for a license to serve liquor outdoors on their patio. A letter from the City and postcard hearing notice from the Summit Hill Association (SHA) have gone out to neighbors. SHA will consider the application at 2 meetings as follows:

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- * If approval is considered, City Staff recommends a condition that the patio be closed and cleared by 9:30 PM
- * By condition, liquor service can be limited to just the seating area, with liquor disallowed on the smoking patio at all times.
- * The license can be approved on a 1 year trial basis.
- * Eliminating the smoking area in back and requiring smokers to use the sidewalk in front is being discussed.
- * Moving the outdoor dining area to the front of the building has been discussed.
- * It is possible to place a condition on the license which allows liquor service only to folks who have ordered food, however, enforcement of such a condition can be difficult.

The City Code requires that conditions be agreeable to the Wild Onion. In my mind the SHA still has control however as it can disapprove the application if the Wild Onion will not agree.

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It is important that all neighbors voice their opinions and concerns on this. If you can, please attend the Summit Hill Association meetings. Also, please submit your opinion in writing. I'd recommend sending it to all of the following:

Summit Hill Association:

Jeff Roy - summithill@visi.com <<mailto:summithill@visi.com>>
Diane Hilden - cpcsummithill@visi.com <<mailto:cpcsummithill@visi.com>>

City Council:

dave.thune@ci.stpaul.mn.us <<mailto:dave.thune@ci.stpaul.mn.us>>
patricia.lindgren@ci.stpaul.mn.us <<mailto:patricia.lindgren@ci.stpaul.mn.us>>

Legislative Hearing Officer:
legislativehearings@ci.stpaul.mn.us <<mailto:legislativehearings@ci.stpaul.mn.us>>

City Staff:
Christine.Rozek@ci.stpaul.mn.us <<mailto:Christine.Rozek@ci.stpaul.mn.us>>

I've included several neighbors on this e-mail but it is only a fraction of the folks close to the Wild Onion. Please pass the word to your neighbors, especially the folks in the nearby condominiums. Don and I will not be able to attend on March 3 and will submit a letter.

Tom Richardson
Don McCall
786 Lincoln Avenue

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It is important that you do not use e-mail to request, authorize or effect the purchase or sale of any security or commodity, to send fund transfer instructions, or to effect any other transactions. Any such request, orders, or instructions that you send will not be accepted and will not be processed by Morgan Stanley Smith Barney.

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From: Patricia Lindgren
To: Vang, Nhia
Date: 3/1/2010 3:15 PM
Subject: Fwd: RE: Formal response to Wild Onion Liquor License Request

Funny

>>> "DeBellis, Fay M" <Fay.Debellis@morganstanleysmithbarney.com> 3/1/2010 11:46 AM >>>
Amendment - 788 Grand Avenue not 78 Lincoln Avenue. My apologies to the residents at 788 Lincoln.

Fay M. DeBellis CFP(r)
Senior Vice President
Wealth Advisor
Morgan Stanley Smith Barney
225 South 6th Street, Suite 5100
Minneapolis, MN 55402
W) 612-340-6746 C) 612-963-0833 Fax 612-340-1773
toll free 800-786-6770
fay.debellis@morganstanley.com <<mailto:fay.debellis@morganstanley.com>>

See our family's mission at

www.debellismartiniparty.us <<http://www.debellismartiniparty.us/>>

* If you want to visit my Wealth Advisor Homepage, please click
here <<http://www.morganstanleyindividual.com/customerservice/fahomepage/default.asp?FA=/fa/fay.debellis>>.

Investments and services offered through Morgan Stanley Smith Barney LLC, member SIPC.

From: DeBellis, Fay M (Branch 364)
Sent: Monday, March 01, 2010 11:36 AM
To: Tom Richardson; Robert Debellis; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; summithill@visi.com; 'Silberhorn, Susan'; 'Diane Hilden'; 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; Dave.Thune@ci.stpaul.mn.us; legislativehearings@ci.stpaul.mn.us; patricia.lindgren@ci.stpaul.mn.us; cpcsummithill@visi.com
Subject: Formal response to Wild Onion Liquor License Request

Attached please find my response to the Wild Onion's request for a liquor license for their outside patio.
Thank you for your consideration.

Fay M. DeBellis CFP(r)
Senior Vice President
Wealth Advisor
Morgan Stanley Smith Barney
225 South 6th Street, Suite 5100
Minneapolis, MN 55402
W) 612-340-6746 C) 612-963-0833 Fax 612-340-1773
toll free 800-786-6770
fay.debellis@morganstanley.com <<mailto:fay.debellis@morganstanley.com>>

See our family's mission at

www.debellismartiniparty.us <<http://www.debellismartiniparty.us/>>

* If you want to visit my Wealth Advisor Homepage, please click here <<http://www.morganstanleyindividual.com/customerservice/fahomepage/default.asp?FA=/fa/fay.debellis>>.

Investments and services offered through Morgan Stanley Smith Barney LLC, member SIPC.

From: Tom Richardson [<mailto:tomrichardson@ens.net>]
Sent: Monday, February 22, 2010 7:15 PM
To: Robert Debellis; 'Susan Gillette'; 'Rich Laffin'; 'margaret gadiant'; 'Turner, Betsy E'; summithill@visi.com; 'Silberhorn, Susan'; 'Diane Hilden'; DeBellis, Fay M (Branch 364); 'Merritt Clapp-Smith'; 'McCall Don'; 'Pat Lindgren'; 'Margaret E.T. Johnson'; 'Pesek, Bill'; 'Jeff Young'; 'Mark Sutherland'; 'Maureen Flahaven'; 'Christine Rozek'; 'Sandy Duvander'; 'Michael Carroll'; 'Pesek Carole'; 'Doug Taylor'; 'Bob DeBellis'; Dave.Thune@ci.stpaul.mn.us
Subject: Re: Wild Onion Patio Liquor License Request

Thanks Fay. Replying to all on these e-mails is a great way for us to have a forum among the neighbors and share our thoughts, concerns, questions about the Wild Onions application. I hope this continues.

Tom Richardson

----- Original Message -----

From: Robert Debellis <<mailto:robertstar@comcast.net>>
To: 'Tom Richardson' <<mailto:tomrichardson@ens.net>> ; 'Susan Gillette' <<mailto:gillette8178@msn.com>> ; 'Rich Laffin' <<mailto:rich@rlaffinarch.com>> ; 'margaret gadiant' <<mailto:margaretgadiant@msn.com>> ; 'Turner, Betsy E' <<mailto:Betsy.E.Turner@HealthPartners.Com>> ; summithill@visi.com <<mailto:summithill@visi.com>> ; 'Silberhorn, Susan' <<mailto:silberhorns@comcast.net>> ; 'Diane Hilden' <<mailto:cpcsummithill@visi.com>> ; 'Debellis, Fay' <<mailto:fay.debellis@morganstanley.com>> ; 'Merritt Clapp-Smith' <<mailto:merritt.clappsmith@gmail.com>> ; 'McCall Don' <<mailto:DonCall1@ens.net>> ; 'Pat Lindgren' <<mailto:Patricia.Lindgren@ci.stpaul.mn.us>> ; 'Margaret E.T. Johnson' <<mailto:metj745@hotmail.com>> ; 'Pesek, Bill' <<mailto:Bill.Pesek@ci.stpaul.mn.us>> ; 'Jeff Young' <<mailto:JSY@pobox.com>> ; 'Mark Sutherland' <<mailto:markhsutherland@aol.com>> ; 'Maureen

>>> "Turner, Betsy E" <Betsy.E.Turner@healthpartners.com> 2/12/2010 2:04 PM >>>

From: Turner, Betsy E
Sent: Friday, February 12, 2010 7:56 AM
To: 'legislativehearings@ci.stpaul.mn.us'
Subject: FW: Wild Onion's license patio application
Importance: High

By mistake, I wrote Grand and Dale, instead of Grand and AVON in the below letter.... a total mistype, sorry !!

From: Turner, Betsy E
Sent: Thursday, February 11, 2010 4:00 PM
To: 'legislativehearings@ci.stpaul.mn.us'
Subject: Wild Onion's license patio application

I can't believe that I'm having to write once again about my objections to the Wild Onion getting a liquor license for their patio area. It is Winter now, and so, the commotion is a lot less than in the Summertime, but we on Grand and Avon are still bothered (even at this time of year) by party buses and the occasional beer bottle and can dropped on our property.

Since November, there have been limos and party buses on 11/7, 11/14, 11/ 28, 12/22, 1/31, and 2/5 idling at Grand and Dale (with exhaust going into our window and vibrating our windows, ruckus noise waking me up, and litter) in a NO PARKING zone, and those are just the ones that I've been around to observe.

In addition to that, since November, there have been beer bottles and cans left on our property on 11/7, 11/25 (smashed low ball glass), 11/28(smashed beer bottle), 11/29(throw-up left on our sidewalk), and on 1/8.

In my opinion, The Wild Onion does not deserve to be granted this license, for we, who live nearby, are the victims of their patrons causing nothing but trouble for us. Encouraging drinking on their patio will certainly not serve the long suffering neighbors in any way. I do not believe that The Wild Onion should be rewarded for running an establishment which certainly doesn't discourage extreme behavior. In spite of any efforts that they may make to help the situation, the problems persist !!!

We neighbors are taxpayers, and we deserve to be listened to concerning the well being of the neighborhood. They are making a ton of money at the expense of our tranquility, and we, unfortunately, suffer the results.

Sincerely, Betsy Turner
51 S. Avon
St. Paul, Mn. 55105

>>> "Turner, Betsy E" <Betsy.E.Turner@healthpartners.com> 04/12/10 9:16 AM >>>

I just wanted to report a dismaying telephone message that I had with the woman manager on duty at The Wild Onion this Saturday morning, the 10th of April. For the last couple of years, (I live right on the SW corner of Grand and Avon) I have called them to pick up broken glass and throw-up, after years of picking it up myself. I still pick up the bottles and cans and other trash, but I was sick of taking care of the rest of the stuff. They have been happy to do this, until this past Saturday morning. She informed me that they would clean up this throw up on our corner, but would not be doing this in the future, since we can't prove that it is from them (in spite of our close proximity). She said that they had a meeting, and they decided not to take responsibility for such client behavior. I said to her then that then they didn't care what the neighbors thought, and she just repeated their new policy of NON-HELP to me !! I was horrified beyond belief !!!

Please keep this non-caring policy in mind when you vote this Thursday morning.

Sincerely, Betsy Turner/ 51 S. Avon #21/St. Paul, MN. 55105

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the individual responsible for delivering the e-mail to the intended recipient, please be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

If you have received this e-mail in error, please immediately notify the HealthPartners Support Center by telephone at (952) 967-6600. You will be reimbursed for reasonable costs incurred in notifying us. HealthPartners R001.0

>>> Judy Miller <jhm828@gmail.com> 3/3/2010 8:03 AM >>>

As Lincoln Ave. resident I do not feel the the Wild Onion should be granted a license to serve food and liquor on their patio. I know that St. Paul is proud of Grand Ave but we as residents are bearing the brunt of the drinking between Billy's, Wild Onion and the Bonfire, Young people go from bar to bar until closing time. Beer cans are often in my yard and even with the permit parking my block is filled with cars without permits. Patrons leave the bars and groups coming to their cars at all hours often wake me up. Enough is enough. It is time to think of the neighborhood.

Thank you

Judy Miller
828 Lincoln

>>> Merritt Clapp-Smith <merritt.clappsmith@gmail.com> 3/2/2010 9:20 PM >>>

>

>

> Dear SHA Zoning and Land Use Committee, Cm Thune and City representatives,

I am contacting you on the matter of Wild Onion's request to gain a license to serve alcohol on their patio. I have been a bit reticent to write a letter, since I am a City staff person. However, in my other life I am a Summit Hill neighbor and Goodrich resident 2 blocks due south of Wild Onion. In my work at the City have not had the occasion to review or comment on any licensing issues with the Wild Onion.

I will keep my comments brief. I understand that the desire to serve alcohol on an outdoor seasonal patio is a reasonable business interest and request, and under normal circumstances ~~with a responsible business operator~~, I would support such a request. However, Wild Onion as a long history of attracting and serving to excess noisy and irresponsible patrons.

I live 2 blocks south of Wild Onion and just outside of the parking permit zone. Therefore, we frequently have Grand Ave and Wild Onion patrons parked in front of our house and on adjacent streets. With the warm weather, the bar patrons become more obvious. It is many a weekend night and some weeknights that I am awakened between 1:30 - 2:15 am by the sounds of loud voices, shouting, cursing and sometimes fighting. I can hear the garbled conversations of intoxicated individuals making their way to cars and driving or sometimes speeding off.

Almost two years ago, my husband went out to his car in the morning and found a drunk woman passed out in the backseat. She had come into our yard through the alley fence and then into our garage. It was a cool night and she is fortunate to have found a warmish place to sleep and a kind soul who didn't ask many questions (my husband) and drove and dropped her off where she requested. My husband didn't ask if she had been to Wild Onion, but given our proximity to the bar, we assume she left from there.

It is very clear to neighbors of Wild Onion and other bars on east Grand Ave that Wild Onion is unique in its ability to attract and service people who drink to excess and create a serious nuisance and possible menace when they leave the establishment. Vomit, yelling, drunk driving are all clear problems stemming from the late night customers. The level and frequency of these troubles does not come from other bars in the nearby area. There is a clear distinction which the owners of the Wild Onion seem to have been unwilling to address in any serious manner.

Therefore, I do not support the patio liquor license for Wild Onion, as long as they maintain their current modus operandi. Persons that do not operate responsibly within their current parameters should not have those parameters

expanded. I live in this neighborhood and love Grand Avenue and its businesses. This does not mean that I must love all businesses regardless of their operations.

Neighbors living in a community, be they residential or business, owe the community the respect to live and operate in a fashion that maintains instead of degrades the experience of those around them. I wish that Wild Onion could learn to do this and not dismiss the neighbors' concerns as irrational.

Merritt Smith
785 Goodrich Ave

- > The Wild Onion's effort to gain a license to serve alcohol on their patio.
- >
- >

>>> <Gzorkio@aol.com> 3/10/2010 10:42 PM >>>

To All:

I, along with other concerned neighbors, attended SHA's Zoning and Land Use Planning Committee meeting last week. Needless to say, I was disappointed in the results of the Committee's final words regarding the request for approval of a license that would permit Wild Onion to serve liquor on its patio.

We do appreciate those members who were understanding of our neighborhood concerns but also disheartened with others. By request, a hand count along with a recorded count of those who emailed or left a phone message and opposing an approval vote was taken. That combined number totaled at least 20 people and should be part of the recorded minutes as requested.

That's 20 some of my neighbors who are affected by the operation of the Wild Onion over the last many years. That number represents a political mass. I have attached a letter that I was hoping to read to the Committee that evening. However, due to the Chairperson's direction to cease all further input due to the need to close on this issue and move to the next agenda, this was not read.

Please show your support of neighborhood solidarity by attending:
Thursday's March 11th SHA Full Board Meeting
7:00PM at Linwood Recreation Center or email or phone and leave a message.

Just imagine if you were living closer to the Wild Onion and had to bear the noise and raucous behavior of some of its patrons and the witness the broken promises to resolve those issues. Wouldn't all of us be really frustrated and upset!. Let your voices and presence be heard and counted.

Thanks for your neighborly support!

Bill Pesek
769 Lincoln Avenue

See attachment

In a message dated 3/10/2010 5:19:28 P.M. Central Standard Time,
Carolesha@aol.com writes:

SHA Public Zoning Hearing
Zoning & Land Use Committee
3.3.2010

Wild Onion Owner's Request : Liquor License for Outdoor Service Area, Patio

My Name is Bill Pesek, 769 Lincoln Avenue

My reason for being here tonight is simple. I enjoy living in this neighborhood. I like the neighborhood. We like the opportunity to live near Grand Avenue and we will band together as a neighborhood to keep it that way.

In this case, we ask that this committee review the proceedings tonight and vote to keeping our neighborhood safe and enjoyable to live in.

Our message: Management/Owners of the Wild Onion, stand up on your responsibilities as part of this community and keep your word on the promises made right here in the past months and years. Once you have a track record of respectable ownership and management, then come back and let's discuss the patio issue.

As I have stated at previous hearings:

We moved to our house in the early 90s. Lyons Pub had recently opened for business. I remember attending here and discussing issues that were happening on Grand Avenue. Some were with Lyon's Pub now the location for Wild Onion.

Our message was simple. If we work together as a residential neighborhood and business establishment we can reach an agreement and can live comfortably together. And we did. Lyons worked with us, made improvements and was sensitive to common sense concerns expressed by the neighborhood.

Since then, things have changed. Our Lincoln Avenue neighbors have changed over the almost 20 years we have lived here. Many businesses have come and gone on Grand Avenue. We now have The Wild Onion as one of our neighbors. It's different with this ownership.

We have stood here in this very same room countless times as neighbors expressing how this establishment is impacting our lives. We have received promises from Wild Onion management but contrary to the previous owners, the promises of reducing the noise level in the parking lot in the evening, patrolling, and cleaning the alley have not been kept.

We still hear the loud noise all year around bombarding the northerly side of our property facing the parking lot and business. Our kid's bedroom faced the alley and they would keep their window fan on at night year around to muffle out the sound coming from that direction. We have complained. Our neighbors have complained and as you know, the property owners nearest this establishment call frequently. Can you blame them? Would you like to be living directly in back of the Wild Onion?

You, Wild Onion are sick and tired of our complaining and want us to disappear. We, the residents who live near your establishment are sick and tired of your not keeping promises.

The neighborhood and Summit Hill Association spoke very clearly at the last hearing. We said No to your alcoholic serving on the patio. We are saying No again tonight. Can't you hear the message? Why should we consider your liquor license application for the patio when you can't live up to past agreements and promises?

Listen to the concerns of others here tonight and to those who voiced their thoughts via email, message or written letter. Can you step into our shoes tonight? What if you lived behind this Establishment? We, the neighborhood residents, need you, member of the Zoning and Land Use Planning Committee to represent those of us who are really impacted by the behavior of Wild Onion. Please Vote No to this request. We are a neighborhood of people wanting to coexist.

The party bus parks down the street. Imagine yourself being woken up at about 1:30-2:30 to the sounds of people coming back to the vehicles they parked on our streets illegally, and hollering & shouting as loud as they can using the all too frequent F word. You hear the vehicles starting and then the roaring out on the street. Why does this happen?

Why is there so much continuing noise in the parking lot when the establishment closes? Wasn't there a promise by the Wild Onion to regulate the patrons and usher them out of the parking lot quickly? Was that promise broken?

Here is what I am saying. The request for serving alcoholic beverages on the patio should be quickly denied. If promises from previous meetings can not be kept, why should we assume that terms for using the patio will be honored?

I challenge you to review our own District Planning Mission statement: To me it says we need to work together. That means that when promises are made, they need to be kept; Or consequences for not keeping that promise must follow. In this case, consequences means that you, members of the zoning and land use committee, will deny this request by the owners of Wild Onion to obtain that liquor license.

Some members on this committee will say that when they have been entertained by this establishment, everything was fine and the parking lot experience was free of drunken patrons. I sure hope it was a good experience. Come back at closing. Come back when the party bus is on Grand Avenue. Come back when someone comes out of the Wild Onion and walks down the street and vomits in front of your house. Come back when you see over-served patrons stealing or damaging our lawn ornaments. That's the atmosphere that many of us live in.

You will or have already heard from management from Wild Onion. They label those of us who speak out as "those same people who are always complaining about something".

If you lived on our street and was told that police responded to over 300 calls to the Wild Onion last year what would you say? That's almost 1 police call every day of the week.

We are tired of having to deal with the Wild Onion and broken promises.

I ask that each of you please hear our plea and send a clear message to Wild Onion. Deny their request for serving alcoholic beverages on their patio. Vote No.

If the Wild Onion wants to start on a clean slate then let them prove it. Have them act on promises already agreed upon.

Thank you.

Bill Pesek
769 Lincoln Avenue
Saint Paul Mn.

March 1, 2010

Dear Sir / Madam:

The Wild Onion has once again applied for a license to serve liquor outdoors on their patio. We are very concerned that the patio will have a "bar atmosphere" and will adversely impact our quality of life and our neighborhood. The Wild Onion does not have a good track record in the neighborhood and has been the cause of ongoing disturbances. This past Saturday was once again one of many noisy nights for neighbors of the Wild Onion. We believe that liquor service on the patio will exacerbate the problems that already exist and ask that this application be denied.

It's important to note that we have already experienced what life is like with liquor service on the Wild Onion's patio. The Wild Onion served liquor openly on an ongoing basis as if they had a liquor license up until a couple of years ago. It was only after the neighbors reached their limit and went to the City that we discovered no liquor license existed and the City stopped the outdoor liquor service by the Wild Onion. The existing smoking patio in back of the restaurant continues to impact Lincoln Avenue residents with a great deal of noise, even without liquor service. Liquor will only make it worse.

The Wild Onions patio is oriented to the back and side of the building, not Grand Avenue, thus neighbors in this residential neighborhood will bear the brunt of the noise impact from the patio. The fence installed along the alley does not provide sound attenuation. It is too far from the source of the noise.

The Wild Onions liquor license is for a club not a restaurant and therefore does not require that a portion of their revenue come from the sale of food. There is no guarantee that the patio will not degenerate into an outdoor bar environment.

The same request was made a year or so ago and denied by the Summit Hill Association. At that time the Wild Onion was unable to obtain agreement from a majority of neighbors and several neighbors opposed the application even though other establishments such as Braza and Punch Pizza had no problem obtaining neighbor approval. For this current application the Wild Onion chose not to try to obtain neighbor approval from the neighbors.

The Wild Onion has a much higher rate of police calls and visits compared to other restaurants and bars in the vicinity. In addition, they have also been found guilty of serving liquor to underage patrons and guilty for not monitoring their parking lot at closing time as required by their current license.

Personally, we have tried to keep an open mind on this application. In theory we don't have a problem with outdoor food service that includes a drink similar to Braza or Punch Pizza. In the end this is not the character of the Wild Onion, we don't believe this will be the character of the Wild Onions patio and urge the denial of their request.

Thank you for your consideration.

Tom Richardson
Don McCall
786 Lincoln Avenue