Suspension 6/10/09

Council File # 09-631
Green Sheet # 3071456

RESOLUTION
CITY OF SAINT PAUL, MINNESOTA

Presented by

WHEREAS, Meafy Beat d/b/a Shamrock's Irish Nook, located at 995 W. 7th in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of a liquor outdoor service area (sidewalk) license; and

WHEREAS, the West 7th/Fort Road Federation, has agreed to the waiver of the notice requirements; and

WHEREAS, 15 residential properties are within a 300 foot radius of licensee's proposed patio, and licensee has obtained consent from 6 of those properties (40%); and

WHEREAS, licensee has sent out two mailings to neighbors and went door to door to obtain signatures from the remaining residences but was unable to contact them and received no negative responses to the request for consent; and

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

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

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

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

RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code are hereby waived and a liquor outdoor service area (sidewalk) license is issued to Meafy Beat d/b/a Shamrock's Irish Nook, located at 995 W. 7th in Saint Paul, subject to the agreement stated above.

	Yeas	Nays	Absent
Bostrom	✓		
Carter	✓		
Harris	✓		
Helgen	✓		
Lantry	✓		
Stark	✓		
Thune	✓		
	7	0	0

Adopted by Council: Date 6/10/09

Adoption Certified by Council Secretary

By: Mary Erickson

Approved by Mayor: Date 6/16/09

By: [signature]

Requested by Department of:

DSI

By: Christine A Rozek

Approved by the Office of Financial Services

By:

Approved by City Attorney

By: Rachel Tietz

Approved by Mayor for Submission to Council

By: