



Legislation Details (With Text)

File #: RES 14-765 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 5/7/2014

Title: Waiving the 45-day notice requirement to add Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk), and Entertainment B licenses for EDevelopment, LLC, d/b/a Schwietz's Saloon (License ID #20120002446) at 956 Payne Avenue.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Good Faith Letter, 2. District 5 Planning Council Approval Letters, 3. April 22nd 2014 Signed License Conditions

Date	Ver.	Action By	Action	Result
5/13/2014	1	Mayor's Office	Signed	
5/7/2014	1	City Council	Adopted	Pass
5/7/2014	1	City Council	Adopted As Amended	Pass

Waiving the 45-day notice requirement to add Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk), and Entertainment B licenses for EDevelopment, LLC, d/b/a Schwietz's Saloon (License ID #20120002446) at 956 Payne Avenue.

WHEREAS, EDevelopment, LLC d/b/a Schwietz's Saloon (License ID #20120002446) applied for a Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk) and an Entertainment B license for the premises located at 956 Payne Avenue in Saint Paul; and

WHEREAS, the licensee is currently approved for a Liquor On Sale - 101-180 seats and a Liquor On Sale-Sunday license; and

WHEREAS, the licensee submitted a "Good Faith" letter to DSI indicating that he was able to obtain twenty-nine (29) out of a possible fifty-six (56) signatures for 52% consent of neighbors; and

WHEREAS, the Payne Phalen District Five Planning Council sent letters in support of the 45-day waiver and issuance of the Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk) and an Entertainment B licenses with conditions; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk) and an Entertainment B licenses with conditions; now, therefore, be it,

RESOLVED, that a Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk) and an Entertainment B license are hereby granted to EDevelopment, LLC d/b/a Schwietz's Saloon (License ID #20120002446) for the premises located at 956 Payne Avenue in Saint Paul with the following conditions:

1. Per Section 409.03 of the City of Saint Paul Legislative Code, a new liquor on-sale license shall

only be issued to a restaurant as defined under Chapter 409 of the City Code. Licensee agrees to operate the establishment in compliance with the definition of a restaurant as defined under Chapter 409 of the City's Code, acknowledges having been given a copy of this definition, and understands this definition.

2. Licensee agrees to close the establishment and have all customers/patrons vacate the premises by 12:00 a.m. (midnight) each day of the week as per City Zoning Code parking requirements.

3. Licensee shall maintain the shared access agreement granting access onto the property with Parcel Identification Number 292922420014 to the parking lot (located at the rear of the building) for the purpose of providing a minimum of twelve (12) off-street parking spaces on the lot owned by the licensee having Parcel Identification Number 292922420013.

4. Per Minnesota building code requirements, licensee agrees that a recorded easement over the adjoining property at 946 Payne Ave (specifically Lot 14, Blk 24 Joseph R. Weide's Subd. of Arlington Hills Addn. to Saint Paul) shall be maintained to provide public egress from the rear of the licensed establishment. Failure to maintain code-compliant rear egress via a recorded easement will result in the immediate commencement of adverse action against all licenses held by licensee for the property at 956 Payne Ave.

5. NOTE: SIDEWALK SEATING ALONG PAYNE AVENUE APPROVED FOR MAXIMUM (4) FOUR SEATS. Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses.

FURTHER RESOLVED, that a Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk) and an Entertainment B license granted to EDevelopment, LLC d/b/a Schwietz's Saloon shall not be issued until all licensing and safety concerns related to the licensed premises have been resolved, as determined by the Department of Safety and Inspections.