



## Legislation Details (With Text)

**File #:** RES 19-417    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 3/13/2019

**Title:** Approving a waiver of the 45-day notification requirement to issue Liquor On Sale-100 seats or less, Liquor On Sale-Sunday, and Liquor Outdoor Service Area (Patio) licenses with conditions to Due Focacceria, LLC, d/b/a Due (License ID #20190000396) at 475 Fairview Avenue South.

**Sponsors:** Chris Tolbert

**Indexes:**

**Code sections:**

**Attachments:** 1. Good faith letter submitted February 25th 2019, 2. Email with petition results dated February 22nd 2019, 3. Macalester Groveland CC letter of support dated March 1st 2019, 4. Signed license condition affidavit dated February 25th 2019

Date	Ver.	Action By	Action	Result
3/20/2019	1	Mayor's Office	Signed	
3/13/2019	1	City Council	Adopted	Pass

Approving a waiver of the 45-day notification requirement to issue Liquor On Sale-100 seats or less, Liquor On Sale-Sunday, and Liquor Outdoor Service Area (Patio) licenses with conditions to Due Focacceria, LLC, d/b/a Due (License ID #20190000396) at 475 Fairview Avenue South.

WHEREAS, Due Focacceria, LLC d/b/a Due (License ID #20190000396) applied for a Liquor On Sale-100 seats or less, a Liquor On Sale-Sunday and a Liquor Outdoor Service Area (Patio) license for the premises located at 475 Fairview Avenue South; and

WHEREAS, the licensee also requested a waiver of the 45-day notification requirement for approval of the above-mentioned licenses; and

WHEREAS, the licensee submitted a "good faith" letter and obtained twenty-seven (27) out of a possible thirty-seven (37) signatures from property owners for seventy-three percent (73%) support of a Liquor Outdoor Service Area (Patio) license; and

WHEREAS, the Department of Safety and Inspections received a letter from Macalester Groveland Community Council in support of a waiver of the 45-day notification requirement and approval of a Liquor On Sale-100 seats or less, a Liquor On Sale-Sunday and a Liquor Outdoor Service Area (Patio) license; and

WHEREAS, the Department of Safety and Inspections received no objections to a waiver of the 45-day notification requirement and approval of the above-mentioned licenses; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of a waiver of the 45-day notification requirement and approval of a Liquor On Sale-100 seats or less, a Liquor On Sale-Sunday and a Liquor Outdoor Service Area (Patio) license; now, therefore, be it,

RESOLVED, a waiver of the 45-day notification requirement is granted and a Liquor On Sale-100 seats or less, a Liquor On Sale-Sunday and a Liquor Outdoor Service Area (Patio) license are hereby issued to Due Focacceria, LLC d/b/a Due (License ID #20190000396) for the premises located at 475 Fairview Avenue South in Saint Paul with the following conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant".
2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per City Zoning Code (parking requirement) and Section 409.02 of the City of Saint Paul Legislative Code.
3. Licensee agrees to maintain the site in accordance with the approved site plan on file with DSI. Site improvements shall be completed by 07/01/2019.