



Legislation Details (With Text)

File #: RES 22-1762 **Version:** 1

Type: Resolution **Status:** Passed
In control: City Council
Final action: 12/21/2022

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Masooda Enterprises Inc (License ID# 20220001568), d/b/a Bar Cart Lounge & Restaurant, for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses, located at 1571 Grand Avenue.

Sponsors: Chris Tolbert

Indexes:

Code sections:

Attachments: 1. Signed Conditions Affidavit, 2. Minutes, 3. Class N Application, 4. Floor Plan, 5. Street Photo, 6. Stamp Activity Report, 7. Incident Report, 8. Letter of Objection, 9. District Council Letter of Support, 10. Protected Use Waiver Highland Park Montessori School, 11. Protected Use Waiver Laura Jeffrey Academy, 12. Aerial Photo, 13. Zoning Map, 14. Plat Map, 15. 100' Property Ownership, 16. AMANDA Print Screen, 17. Class N Notification, 18. Notification of License Hearing, 19. License Hearing Sign-In Sheet

Date	Ver.	Action By	Action	Result
12/29/2022	1	Mayor's Office	Signed	
12/21/2022	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Masooda Enterprises Inc (License ID# 20220001568), d/b/a Bar Cart Lounge & Restaurant, for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses, located at 1571 Grand Avenue.

WHEREAS, Masooda Enterprises Inc (License ID# 20220001568), d/b/a Bar Cart Lounge & Restaurant, located at 1571 Grand Avenue, has applied for a Class N license for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, the application was for a change in business name and partial change in ownership; and

WHEREAS, Bar Cart Lounge & Restaurant has requested a waiver of the three-hundred (300) foot separation distance requirement from two (2) protected uses as outlined in Saint Paul Legislative Code § 409.06 (n) for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, Highland Park Montessori School, located within three-hundred (300) feet of the licensed premises, submitted a signed Petition consenting to a waiver of the three-hundred (300) foot separation distance requirement and to the Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, Laura Jeffrey Academy, also located within three-hundred (300) feet of the licensed premises, submitted a signed Petition consenting to a waiver of the three-hundred (300) foot separation distance requirement and to the Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, a notification regarding the license application was sent from the Department of Safety and Inspections to the affected neighborhood for the period of September 19, 2022, to November 4, 2022; and

WHEREAS, during the notification period, objections were received which triggered the hearing and a hearing was held on November 7, 2022; and

WHEREAS, the objections were related to hours of operation extending to or past midnight; and

WHEREAS, in response to the concerns raised, the licensee has agreed to work with the city to comply with the necessary requirements to minimize nuisance activities that would disturb the surrounding residential neighborhood; and

WHEREAS, the licensee also requested a waiver of the 45-day notice requirement and on October 14, 2022, the Macalester Groveland Community Council (Planning District Council 14) voted to support the licensee's request to waive the 45-day notice requirement and approve the issuance of the Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, on November 16, 2022, per RES 22-1765, the City Council voted to approve licensee's waiver of the 45-day notice requirement and approval of the licenses; and

WHEREAS, after conducting the hearing and considering the testimonies and evidence, the Deputy Legislative Hearing Officer recommends that the application for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses, located at 1571 Grand Avenue, for Masooda Enterprises Inc (License ID# 20220001568), d/b/a Bar Cart Lounge & Restaurant, be approved 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 Section 409.02 of the City of Saint Paul Legislative Code.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions and finds that the license conditions are reasonable, and the application is in order and there are no grounds to deny approval of the licenses.

The Conditions Affidavit was signed and submitted on October 7, 2022.