



## Legislation Details (With Text)

**File #:** RES 12-1052 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**In control:** City Council  
**Final action:** 6/6/2012

**Title:** Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add an Entertainment A license to the existing Liquor On Sale 181 -290 seats, Liquor On Sale - Sunday, Restaurant (5) - 151 and over, Restaurant (D) - Add-on (Bar Only), and Sidewalk Cafe licenses, for Lexington Hospitality Partners Inc (I.D. 20110000059), d/b/a The Lexington, 1096 Grand Avenue.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. Minutes, 2. Conditions Affidavit, 3. Letter of Objection, 4. District Council Recommendation, 5. License Application, 6. Floor Plan, 7. Photos, 8. STAMP Activity Report, 9. Police Incident Report, 10. Aerial Photo

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 6/11/2012 | 1    | Mayor's Office | Signed  |        |
| 6/6/2012  | 1    | City Council   | Adopted | Pass   |

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WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for The Lexington for a request to add an Entertainment A license to the existing Liquor On Sale 181 -290 seats, Liquor On Sale - Sunday, Restaurant (5) - 151 and over, and Restaurant (D) - Add-on (Bar Only), and Sidewalk Cafe, be approved with the following conditions:

1. Sidewalk seating area is limited to a maximum of 18 seats.
2. 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.
3. No outdoor food and/or beverage preparation is allowed on a public sidewalk without prior approval and additional licensing from DSI.
4. No liquor sales and/or service is allowed on a public sidewalk without prior approval and additional licensing from DSI.
5. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or

nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions.