



## Legislation Details (With Text)

**File #:** RES 13-917    **Version:** 2  
**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 6/26/2013

**Title:** Waiving the 45 day notice requirement for issuance of on-sale licenses, and approving a Liquor Outdoor Service Area (Patio) license and a Liquor Outdoor Service Area (Sidewalk) license for Grand American Restaurant Company, d/b/a The Wild Onion (License ID # 19990002357) at 788 Grand Avenue.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. The Wild Onion - License Conditions.pdf, 2. 6 18 13 SHA letter of support for Wild Onion licenses.pdf

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 6/27/2013 | 2    | Mayor's Office | Signed  |        |
| 6/26/2013 | 2    | City Council   | Adopted | Pass   |

Waiving the 45 day notice requirement for issuance of on-sale licenses, and approving a Liquor Outdoor Service Area (Patio) license and a Liquor Outdoor Service Area (Sidewalk) license for Grand American Restaurant Company, d/b/a The Wild Onion (License ID # 19990002357) at 788 Grand Avenue.

WHEREAS, Grand American Restaurant Company d/b/a The Wild Onion (License ID # 19990002357) ("Applicant") located at 788 Grand Avenue in Saint Paul requested a waiver of the 45-day notice requirement for issuance of Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) licenses; and

WHEREAS, the Summit Hill District Council has agreed to the waiver of the notice requirements with the following eleven (11) conditions; and

1. The management of the Wild Onion shall provide security in the parking lots Tuesday through Saturday starting at 9:00 p.m. and until all cars have vacated the parking area after closing time of the establishment to ensure that the patrons leave the premises and the parking lots without causing a disturbance in the surrounding neighborhoods. Patrons shall be advised of the necessity of leaving in an orderly manner and shall not be permitted to loiter outside the bar or in the parking lots.
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 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 an outdoor seating area (i.e., private patio and/or public sidewalk) without prior written approval and additional licensing from DSI.

4. Licensee agrees to limit the number of outdoor seats on the private patio and public sidewalk seating areas to that allowed under applicable code requirements, and as stated on the approved seating plan on file with the Department of Safety and Inspections (DSI). But in no case shall there be more than a maximum total of forty-four (44) seats on the outdoor private patio seating area, nor more than twenty-four (24) seats on the public sidewalk seating area.
5. Licensee agrees to build a rear patio wall of at least sixteen (16) feet in height along the rear south side of the outdoor patio contiguous with the building as allowed by City Code.
6. Licensee agrees to build the rear patio wall of concrete and brick materials, including a gas fireplace with no open areas in the wall as permitted by the applicable codes.
7. Licensee agrees to build the rear patio wall with a minimum of a four (4) foot return wall from the rear wall on the east side. The remainder of the east patio wall will be the current wood fence with planters extending to the front sidewalk.
8. Licensee agrees that alcoholic beverages will only be served on the outdoor patio and sidewalk seating areas to patrons ordering food.
9. Licensee agrees that all food and beverage service, including alcohol service, on its outdoor patio seating area will stop by 9:30 p.m., that the patio will close and all customers/patrons will vacate the patio area by 10:00 p.m. and that the tables and chairs in this area will be secured in a manner to prevent customers/patrons from sitting in this area after 10:00 p.m.
10. Licensee agrees that all food and beverage service, including alcohol service, on its outdoor sidewalk seating area will stop by 10:00 p.m. that the sidewalk café will close and all customers/patrons will vacate the patio area by 10:30 p.m. and that the tables and chairs in this area will be secured in a manner to prevent customers/patrons from sitting in this area after 10:30 p.m.
11. Licensee agrees to maintain its current designated smoking area outside for patrons and will add sound proofing materials and improvements to the existing outdoor smoking area as allowed by City Code to help reduce noise and smoke effects.

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

WHEREAS, the Applicant 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 licenses, that the Department of Safety and Inspections may direct the Applicant to immediately discontinue all operations until a public hearing is scheduled, and that the Applicant 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 Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) licenses are granted for Grand American Restaurant Company d/b/a The Wild Onion located at 788 Grand Avenue in Saint Paul, subject to the conditions stated above.