



## Legislation Details (With Text)

<b>File #:</b>	RES 17-254	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
		<b>Final action:</b>	2/15/2017
<b>Title:</b>	Approving a waiver of the 45-day notice requirement to issue a Liquor-Outdoor Service Area (Patio) license along with a Wine On Sale and a Malt On Sale (Strong) license to John's Pizza Café, LTD, d/b/a John's Pizza Café (20100003164) at 616 Como Avenue in Saint Paul.		
<b>Sponsors:</b>	Amy Brendmoen		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. John's Pizza Cafe - District 6 Planning Council letter dated January 30th 2017, 2. John's Pizza Cafe - Good Faith letter submitted to DSI, 3. John's Pizza Cafe - Email indicating 66 percent neighborhood support of Patio license, 4. John's Pizza Cafe - signed license conditions signed January 30th 2017		

Date	Ver.	Action By	Action	Result
2/16/2017	1	Mayor's Office	Signed	
2/15/2017	1	City Council	Adopted	Pass

Approving a waiver of the 45-day notice requirement to issue a Liquor-Outdoor Service Area (Patio) license along with a Wine On Sale and a Malt On Sale (Strong) license to John's Pizza Café, LTD, d/b/a John's Pizza Café (20100003164) at 616 Como Avenue in Saint Paul.

WHEREAS, John's Pizza Café, LTD d/b/a John's Pizza Café (20100003164) applied for a Liquor Outdoor Service Area (Patio) license along with a Wine On Sale and a Malt On Sale (Strong) license for the premises located at 616 Como Avenue in Saint Paul; and

WHEREAS, the licensee also requested a waiver of the 45-day notice requirement in order to issue the Liquor -Outdoor Service Area (Patio) license; and

WHEREAS, the Department of Safety and Inspections received a letter from the District 6 Planning Council supporting the license applications and waiving the 45-day notice requirement for the Liquor-Outdoor Service Area (Patio) license; and

WHEREAS, the licensee submitted a "Good Faith" letter indicating an effort to obtain the required number of petition signatures; and

WHEREAS, the licensee was able to obtain sixteen (16) out of a possible twenty-four (24) petition signatures for sixty-six percent (66%) support to add a Liquor Outdoor Service Area (Patio) license; and

WHEREAS, the Department of Safety and Inspections received no other objections to the issuance of the licenses and waiver of the 45-day notice requirement; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the licenses and waiver of the 45-day notice requirement for the Liquor-Outdoor Service Area (Patio) license; now, therefore, be it,

RESOLVED, a waiver of the 45-day notice requirement for the Liquor-Outdoor Service Area (Patio) license is hereby granted along with the Wine On Sale and Malt On Sale (Strong) licenses to John's Pizza Café, LTD d/b/a John's Pizza Café for the premises located at 616 Como Avenue with the following conditions:

1. Per City of Saint Paul Legislative Code 409.15(a) (2), On-sale wine license shall mean a license authorizing the sale of wine not exceeding fourteen (14) percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale and service of food (menu item only). The sale of Malt (Strong) will also take place only in conjunction with the sale and service of food.
2. Per City of Saint Paul Legislative Code 409.15(e), licensee must be able to show that gross receipts are at least sixty (60) percent attributable to the sale of food.
3. Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed.
4. Licensee agrees to close the establishment at 12:00 a.m. midnight each day of the week. All patrons/customers shall vacate the premises by 12:30 a.m. each day of the week as per City Zoning Code (parking requirement).