



Legislation Details (With Text)

File #: RES 18-531 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 4/11/2018

Title: Approving the application with conditions, and waiving the three-hundred (300) foot separation distance requirement from two (2) protected uses, per the Deputy Legislative Hearing Officer, for a Liquor On Sale 100 Seats or Less, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), Liquor Outdoor Service Area (Sidewalk) licenses for 1672 Grand LLC (License # 20180000129), d/b/a Grand Catch at 1672 Grand Avenue.

Sponsors: Chris Tolbert

Indexes: License, Liquor, Ward - 3

Code sections:

Attachments: 1. Minutes, 2. Conditions Affidavit, 3. Class N Application, 4. Floor Plan, 5. Sidewalk Service Area Plan, 6. Business Plan, 7. Petition Consent for an Intoxicating Liquor Establishment (Macalester Plymouth United Church), 8. Petition Consent for an Intoxicating Liquor Establishment (Independent School District No. 625), 9. STAMP Activity Report, 10. Incident Report, 11. Street Photos, 12. Aerial Photo, 13. Zoning Map, 14. Plat Map, 15. 100' Property Ownership, 16. AMANDA Print Screen, 17. Letter of Opposition 1, 18. Letter of Opposition 2, 19. Notification Letter, 20. Notification of License Hearing, 21. Sign-in Sheet

Date	Ver.	Action By	Action	Result
4/18/2018	1	Mayor's Office	Signed	
4/11/2018	1	City Council	Adopted	Pass

Approving the application with conditions, and waiving the three-hundred (300) foot separation distance requirement from two (2) protected uses, per the Deputy Legislative Hearing Officer, for a Liquor On Sale 100 Seats or Less, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), Liquor Outdoor Service Area (Sidewalk) licenses for 1672 Grand LLC (License # 20180000129), d/b/a Grand Catch at 1672 Grand Avenue.

WHEREAS, 1672 Grand LLC (License # 20180000129), d/b/a Grand Catch at 1672 Grand Avenue is applying for a Liquor On Sale 100 Seats or Less, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), Liquor Outdoor Service Area (Sidewalk) licenses; and

WHEREAS, Grand Catch 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, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses; and

WHEREAS, Macalester Plymouth United Church, 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, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses; and

WHEREAS, Ramsey Middle School (St. Paul Independent School District No. 625), 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, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses; and

WHEREAS, the Council finds that the application is in order and there are no grounds to deny a waiver of the three-hundred (300) foot separation distance requirement and approval of the licenses; now therefore be it

RESOLVED, a waiver of the three-hundred (300) foot separation distance requirement from two (2) protected uses as outlined in § 409.06 (n) of the Saint Paul Legislative Code is hereby granted; and be it

FURTHER RESOLVED, that the Deputy Legislative Hearing Officer recommends that the application for Liquor On Sale 100 Seats or Less, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), Liquor Outdoor Service Area (Sidewalk) licenses for 1672 Grand LLC (License # 20180000129), d/b/a Grand Catch, 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.
3. Sidewalk seating approved for a maximum of sixteen (16) seats.
4. 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.
5. Licensee agrees to take appropriate action(s) to ensure that the sale, display, and/or consumption of alcoholic beverages is contained within the defined area as per the approved sidewalk seating plan on file with DSI.
6. Any outdoor activities related to the outdoor seating areas on either public or private property shall comply with applicable State and Local rules and regulations, including but not limited to Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code.
7. The outdoor patio seating area located at the rear of the building shall close by 10:00 p.m. each day of the week.

The Conditions Affidavit was signed on January 25, 2018.