



Legislation Details (With Text)

File #: RES 18-776 **Version:** 1

Type: Resolution **Status:** Passed
In control: City Council
Final action: 5/16/2018

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Double Black Diamond Inc. (License ID #20180000245), d/b/a Red Rabbit, for Liquor On Sale - 101-180 seats, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses at 788 Grand Avenue.

Sponsors: Rebecca Noecker

Indexes: License, Liquor, Ward - 2

Code sections:

Attachments: 1. Minutes, 2. Conditions Affidavit, 3. Class N Application, 4. Floor Plan, 5. STAMP Activity Report, 6. Incident Report, 7. Street Photo, 8. Aerial Photo, 9. Zoning Map, 10. Plat Map, 11. AMANDA Print Screen, 12. 100' Property Ownership, 13. Letter of Opposition, 14. District Council Correspondence, 15. Notification Letter, 16. Notice of Legislative Hearing, 17. Legislative Hearing Sign-in

Date	Ver.	Action By	Action	Result
5/18/2018	1	Mayor's Office	Signed	
5/16/2018	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Double Black Diamond Inc. (License ID #20180000245), d/b/a Red Rabbit, for Liquor On Sale - 101-180 seats, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses at 788 Grand Avenue.

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Double Black Diamond Inc. (License ID #20180000245), d/b/a Red Rabbit, for Liquor On Sale - 101-180 seats, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses be approved with the following conditions:

1. 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.
2. 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.
3. Licensee agrees to take appropriate action(s) to ensure that the sale, display, and/or consumption of alcoholic beverages is contained within the defined private patio and public sidewalk seating areas as per the approved seating plans on file with DSI.
4. Licensee agrees to maintain in good condition 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.
5. Licensee agrees the rear patio wall will be maintained in its original construction material requirements of concrete and brick materials, including a gas fireplace with no open areas in the wall as permitted by applicable codes.
 6. Licensee agrees the rear patio wall will be maintained with its original construction requirements including 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.
 7. Licensee agrees that alcoholic beverages will only be served on the outdoor patio area to patrons ordering food.
 8. Licensee agrees that all food and beverage service, including alcohol service, on its outdoor patio seating area will stop on Sunday through Thursday by 9:30 p.m., with all customers/patrons vacating the patio area by 10:00 p.m., and on Friday and Saturday by 10:30 p.m., with all customers/patrons vacating the patio area by 11:00 p.m. All tables and chairs in this area will be secured in a manner to prevent customers/patrons from sitting in this area after closing for the night.

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

The Conditions Affidavit was signed on April 25, 2018.