Legislation Details (With Text)

File #:	RES 19-1383 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	8/28/2019
Title:	Approving the application with conditions, per the Deputy Legislative Hearing Officer, to modify the existing license conditions to permit amplified sound on the outdoor patio, for Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North.		
Sponsors:	Mitra Jalali		
Indexes:	Ward - 4		
Code sections:			
Attachments:	1. Signed Conditions Affidavit, 2. Minutes, 3. Licensee Request, 4. Floor Plan, 5. STAMP Activity Report, 6. Incident Report, 7. Street Photos, 8. Aerial Photo, 9. Plat Map, 10. Zoning Map, 11. AMANDA Print Screen, 12. 100' Property Ownership, 13. District Council Correspondence, 14. Correspondence of Objection, 15. Class N Notification, 16. Notification of License Hearing, 17. Notification to Non-City Parties		

Date	Ver.	Action By	Action	Result
8/29/2019	1	Mayor's Office	Signed	
8/28/2019	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, to modify the existing license conditions to permit amplified sound on the outdoor patio, for Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North.

WHEREAS, Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North has submitted a Class N application to modify the existing license conditions to permit amplified sound on the outdoor patio; and

WHEREAS, objections to the application to modify the existing license conditions were received within the notification period, and a hearing was held on August 12, 2019; and

WHEREAS, after conducting the hearing and considering the testimony, the Deputy Legislative Hearing Officer recommends that the application for Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North be approved with the following conditions:

(Existing License Conditions to Remain)
1. Closure of the patio must be by 11:00 p.m.
2. The licensee agrees that it will not contract with Topline Credit Union (976 Lexington Parkway North) for use of its parking lot.

(Recommended License Conditions to be Added)
3. Any activities taking place outdoors (including those taking place on the outdoor patio seating area such as music being played over a speaker system) 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.
4. The patio speakers shall be turned off when the patio is closed and/or there is no food/beverage service

provided directly by waitstaff.
5. Amplified sound shall be controlled at all times so that it will not be audible at the residential properties across Lexington Parkway.

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 and submitted on June 22, 2019.