



## Legislation Details (With Text)

**File #:** RES 22-1463 **Version:** 1

**Type:** Resolution **Status:** Passed

**In control:** City Council

**Final action:** 9/21/2022

**Title:** Waiving the 45-day notice requirement to add a Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) License to existing Licenses to Em Que Viet LLC d/b/a Em Que Viet Restaurant & Bar (License ID # 20210001847) for the premises located at 1332 Grand Avenue.

**Sponsors:** Chris Tolbert

**Indexes:**

**Code sections:**

**Attachments:** 1. District Council Support Letter, 2. Good Faith email from Licensee, 3. License Application Notification, 4. Petition Results, 5. Copy of Petition sent to Residents

Date	Ver.	Action By	Action	Result
9/22/2022	1	Mayor's Office	Signed	
9/21/2022	1	City Council	Adopted	Pass

Waiving the 45-day notice requirement to add a Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) License to existing Licenses to Em Que Viet LLC d/b/a Em Que Viet Restaurant & Bar (License ID # 20210001847) for the premises located at 1332 Grand Avenue.

WHEREAS, to Em Que Viet LLC d/b/a Em Que Viet Restaurant & Bar (License ID # 20210001847) applied for a Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) License for the premises located at 1332 Grand Avenue in Saint Paul; and

WHEREAS, the licensee requested a waiver of the 45-day notification waiting period for approval of the above-mentioned licenses; and

WHEREAS, licensee was required to seek support from a list of private residences, dwellings and apartment houses within a 300-foot radius of licensee's proposed Liquor Outdoor Service Area (Sidewalk) and Liquor Outdoor Service Area (Patio) license at 1332 Grand Avenue that was provided by the Department of Safety and Inspection by signatures of approval on petitions; and

WHEREAS, records indicate the licensee had obtained twenty-nine (29) out of forty-seven (47) possible **petition** signatures for sixty-two percent (62%) in support of adding a Liquor Outdoor Service Area (Sidewalk) and Liquor Outdoor Service Area (Patio) license; and

WHEREAS, licensee was unable to obtain the ninety percent (90%) consent, but did, in the lesser case, obtained **sixty** percent (60%) or more of support; and

WHEREAS, the licensee submitted a “good faith” email outlining her attempt to attain signatures required by the City of Saint Paul from residential property owners; and

WHEREAS, The Department of Safety and Inspections received a letter from Macalester-Groveland Community Council on September 8, 2022 in support of waiving the 45 day notice requirement and recommending the addition of an Liquor Outdoor Service Area (Sidewalk) and Liquor Outdoor Service Area (Patio) to the existing licenses; and

WHEREAS, in response to the September 2, 2022, notification from the Department of Safety and Inspections regarding the license application, the City received no objections to add the Liquor Outdoor Service Area (Sidewalk) and Liquor Outdoor Service Area (Patio) licenses; and

WHEREAS, the Council finds that the application is in order and there exist no grounds for denial of the licenses; and

WHEREAS, the Council finds that failure to grant the waiver, with consequent delay in approving the license, would either cause exceptional and unusual hardship to the license applicant or would cause substantial hardships to the community for which the license is sought; now, therefore, be it,

RESOLVED, a waiver of the 45-day notice requirement is granted and the Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) License are hereby approved and issued to to Em Que Viet LLC d/b/a Em Que Viet Restaurant & Bar (License ID # 20210001847) for the premises located at 1332 Grand Avenue in Saint Paul.