



Legislation Details (With Text)

File #: RES 11-1270 **Version:** 1

Type: Resolution **Status:** Passed

In control: City Council

Final action: 7/13/2011

Title: Waiving the 45 day notice requirement for issuance of Outdoor Liquor Service Area (Patio) license for TEW, LLC, d/b/a Gabe's by the Park, 991 Lexington Parkway North.

Sponsors: Russ Stark

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 7/18/2011 | 1 | Mayor's Office | Signed | |
| 7/13/2011 | 1 | City Council | Adopted | Pass |

Waiving the 45 day notice requirement for issuance of Outdoor Liquor Service Area (Patio) license for TEW, LLC, d/b/a Gabe's by the Park, 991 Lexington Parkway North.

WHEREAS, TEW LLC d/b/a Gabe's by the Park, located at 991 Lexington Parkway North in Saint Paul, has requested a 354 square foot extension of the outdoor liquor service area (patio) along the north side and southwest corner of the building to allow twelve additional seats and a waiver of the 45 day notice; and

WHEREAS, the District 10 Como Community Council has agreed to the waiver of the 45-day notice requirements; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the license and that the failure to grant the waiver and the consequent delay in approving the license would cause exceptional and unusual hardship to the license applicant; and

WHEREAS, the licensee agrees that in the event a complaint is received prior to the expiration of the 45-day period and the complaint provides a basis for adverse action against the license, that the Office of License, Inspections, and Environmental Protection may direct the licensee to immediately discontinue all operations until a public hearing is scheduled, and that the licensee shall comply with said directive; now, therefore, be it,

RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code are hereby waived and an extension of the liquor outdoor service area (patio) license is issued to TEW LLC d/b/a Gabe's by the Park, located at 991 Lexington Parkway North in Saint Paul, subject to the agreement stated above; and be it

FURTHER RESOLVED, that the license is conditioned on compliance with the requirements set forth below, pursuant to Saint Paul City Council resolution #96-176, granting a parking variance. Any violation of these shall result in revocation of the grant of the extension of the liquor outdoor service area.

1. There will be no outdoor music.

2. The patio must be closed by 11:00 p.m.
3. The shared parking agreement for the parking lot at 1121 Energy Park Drive (the lot located to the west of Gabe's property) must be maintained for the duration of the liquor license.
4. The licensee will not contract with Northtown Credit Union for use of its parking lot.