



## Legislation Text

File #: RES 12-1217, Version: 2

Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add an Entertainment B to the existing license Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, Liquor On Sale - 2AM Closing, Liquor-Outdoor Service Area (Patio), Liquor Off Sale, Restaurant (4) 51 - 150 Seats, Restaurant (D) - Add-on, and Catering - Add On licenses, for FAC Restaurant Company LLC (I.D. # 20070000100), d/b/a Faces Mears Park at 380 Jackson Street.

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Faces Mears Park to add an Entertainment B to the existing license Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, Liquor On Sale - 2AM Closing, Liquor-Outdoor Service Area (Patio), Liquor Off Sale, Restaurant (4) 51 - 150 Seats, Restaurant (D) - Add-on, and Catering - Add On licenses, be approved with the following conditions:

1. Council Resolution 05-1024 waived the prohibition against the issuance of an off sale liquor license within 300 ft of any park and authorized the issuance of an off sale liquor license at 380 Jackson Street, with the condition that this license shall not permit the sale of the following: distilled spirits in containers of 50 milliliters or less (miniatures), distilled spirits in half pint containers, fortified beers or wines, or single service containers of malt liquor (including 40oz bottles);
2. Live and amplified entertainment will only be provided inside the restaurant area. The only amplification allowed will be voice amplification. All live ~~and amplified~~ music will cease at 12:30 A.M. All other entertainment inside the restaurant will cease at 1:30 A.M. and last call will be given at 1:30 A.M.;
3. Doors to the restaurant will remain closed during the time entertainment is provided;
4. There will be no live or amplified music provided in the atrium, **except that low level background music will be allowed**. All acoustic entertainment, **background music, or other entertainment** in the atrium will cease by 10:00 PM;
5. Licensee will not allow entertainment that is a significant noise annoyance to a reasonable person of ordinary sensitivity within their residence;
6. Licensee will install rugs **or acoustic material** where the band or other entertainment is playing so as to absorb the sound;
7. Licensee will position entertainment away from the windows and toward the interior of the restaurant area so as to lessen the bouncing ability of the sound; and
8. Licensee will provide a responsible person to respond to complaints anytime entertainment is provided.

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 submitted on June 05, 2012.