



## Legislation Text

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**File #:** RES 13-1069, **Version:** 1

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Waiving the 45 day notice requirement for issuance of on-sale licenses, and approving an Liquor On Sale - 101-180 Seats license for Edevelopment LLC, d/b/a Schweitz's Saloon, 956 Payne Avenue (License ID #20120002446).

WHEREAS, Edevelopment LLC d/b/a Schweitz's Saloon (License ID # 20120002446) ("Applicant") located at 956 Payne Avenue in Saint Paul requested a waiver of the 45-day notice requirement for issuance of an Liquor On Sale - 101-180 Seats license; and

WHEREAS, the Payne Phalen District Five Planning Council has agreed to the waiver of the notice requirements with the following conditions:

1. Per Section 409.03 of the City of Saint Paul Legislative Code, a new liquor on-sale license shall only be issued to a licensed restaurant as defined under Chapter 409 of the City Code. Licensee agrees to operate the establishment in compliance with the definition of a licensed restaurant as defined under Chapter 409 of the City's Code, acknowledges having been given a copy of this definition, and understands this definition.
2. Licensee agrees to close the establishment and have all customers/patrons vacate the premises by 12:00 a.m. (midnight) each day of the week as per City Zoning Code parking requirements.
3. No liquor sales and/or service is allowed outdoors without prior written approval and additional licensing from DSI.
4. Licensee shall submit and maintain to the Department of Safety and Inspections (DSI) an active agreement which permits patrons of 956 Payne to use the off-street parking lot owned by 946 Payne, and allows patrons emergency egress from the rear entrance of 956 over the parking lot owned by 946 Payne. Licensee understands that failure to maintain this agreement could result in the immediate closure of the licensed establishment at 956 Payne, and revocation of the license. Licensee shall provide yearly proof that this agreement is still in effect as a condition of license renewal; and

WHEREAS, Applicant, who when licensed will be referred to as "Licensee," has agreed to the conditions described above; and

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

WHEREAS, the Applicant 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 Department of Safety and Inspections may direct the Applicant to immediately discontinue all operations until a public hearing is scheduled, and that the Applicant 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 Liquor On Sale - 101-180 Seats license is granted for Edevelopment LLC d/b/a Schweitz's Saloon located at 956 Payne Avenue in Saint Paul.