



Legislation Text

File #: RES 17-715, **Version:** 1

Approving a waiver of the 45-day notice requirement in order to add a Wine On Sale and Malt On Sale (Strong) license with conditions to the existing Sidewalk Café license held by Depth Charge Coffee, LLC, d/b/a Quixotic Coffee (License #20170001273) at 769 Cleveland Avenue South.

WHEREAS, Depth Charge Coffee, LLC d/b/a Quixotic Coffee (License #20170001273) applied for a Wine On Sale and a Malt On Sale (Strong) license to add to the existing Sidewalk Café license for the premises located at 769 Cleveland Avenue South; and

WHEREAS, the Department of Safety and Inspections received a letter from Highland District Council supporting a waiver of the 45-day notice requirement and approval of the Wine On Sale and Malt On Sale (Strong) licenses; and

WHEREAS, the Department of Safety and Inspections received no other objections to the 45-day waiver or issuance of the Wine On Sale and Malt On Sale (Strong) licenses; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of a waiver of the 45-day notice requirement or approval of the licenses; now, therefore, be it,

RESOLVED, a waiver of the 45-day notice requirement is granted and a Wine On Sale and Malt On Sale (Strong) license are hereby granted to Depth Charge Coffee, LLC d/b/a Quixotic Coffee (License #20170001273) for the premises located at 769 Cleveland Avenue South in Saint Paul with the following conditions:

1. Per City of Saint Paul Legislative Code 409.15 (a) (2), On-sale wine license shall mean a license authorizing the sale of wine not to exceed fourteen (14) percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale and service of food (menu item only). The sale of Malt (Strong) will also take place only in conjunction with the sale and service of food.
2. Per City of Saint Paul Legislative Code 409.15 (e), licensee must be able to show that gross receipts are at least sixty (60) percent attributable to the sale of food.
3. Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed.
4. Sidewalk seating approved for a maximum of four (4) seats.
5. Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e. sidewalk) the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective April 1 and expires on October 31 of each year, that table (s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that failure to comply with this condition will result in adverse action being taken against all of their licenses.
6. No alcohol (i.e. wine/beer) sales and/or service is allowed on the public sidewalk without prior written approval and additional licensing from DSI.

7. Licensee agrees to close the establishment at 12:00 a.m. midnight each day of the week. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per City Zoning Code (parking requirement).