



Legislation Text

File #: RES 11-1202, **Version:** 2

Waiving the 45 day notice requirement for issuance of Wine on Sale, Malt on Sale (Strong) and Outdoor Service Area licenses for Cinema Saint Paul LLC, d/b/a Palumbo's Pizzeria, 454 Snelling Avenue South.

WHEREAS, Cinema Saint Paul LLC, d/b/a Palumbo's Pizzeria, located at 454 Snelling Avenue South in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of Wine On Sale, Malt On Sale (Strong), and Liquor - Outdoor Service Area (Patio) licenses; and

WHEREAS, the Macalester Groveland Community Council has agreed to the waiver of the 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 Department of Safety and Inspections 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 Wine On Sale, Malt On Sale (Strong), and Liquor - Outdoor Service Area (Patio) licenses are issued to Cinema Saint Paul LLC, d/b/a Palumbo's Pizzeria, located at 454 Snelling Avenue South in Saint Paul, subject to the agreement stated above and 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 exceeding 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(d), 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. No liquor sales and/or service are allowed on the outdoor patio area without prior written approval and additional licensing from DSI.
5. Licensee shall stop serving beer and wine by 10:00 p.m. every evening. No sale/service of alcoholic beverages will be made after 10:00 p.m. Patrons who have ordered before 10:00 p.m. will be allowed to finish their meals and beverages. Licensee further agrees to ensure all customers and/or patrons vacate the premises (both inside and outside the establishment) by 11:00 p.m.
6. FOR THE OUTDOOR PATIO SEATING AREA: Licensee shall stop all service of food and beverage to the patio area by 9:00 p.m., and the patio shall be vacated of customers, patrons, and employees by 10:00 p.m. each night of the week.