



March 30, 2023

NOTICE OF INTENT TO DENY LICENSE

Fasika, Inc.
d/b/a Fasika Ethiopian Restaurant
510 Snelling Avenue North
St. Paul, MN 55104

RE: Liquor On Sale – 100 seats or less and Liquor On Sale – Sunday license applications submitted by Fasika, Inc. d/b/a Fasika Ethiopian Restaurant for the premises located at 510 Snelling Avenue North in Saint Paul
License ID #: 20010000419

Dear Applicant:

The Department of Safety and Inspections will recommend denial of the Liquor On Sale – 100 seats or less and Liquor On Sale – Sunday license applications submitted by Fasika, Inc. d/b/a Fasika Ethiopian Restaurant for the premises located at 510 Snelling Avenue North in Saint Paul. The recommendation is based on the following information:

On August 1, 2022, you submitted an application for a Liquor On Sale – 100 seats or less and a Liquor On Sale – Sunday license.

On August 15, 2022, The Department of Safety and Inspections sent you a letter stating that review of your application was in process and that a License Application Notification had been sent to the community organization and neighbors in the area giving them until September 30, 2022, to voice any concerns they may have regarding your license application and explained the process for a legislative hearing if there were objections. The August 15, 2022 letter DSI also indicated that the following requirements must also be met prior to the issuance of the licenses:

Sign and return one copy of the license condition affidavit enclosed acknowledging the conditions that will be placed on your licenses.



- **Submit a completed Personal Affidavit for Menderine Gebretsadik.**
- **Submit a Certificate of Insurance showing current Liquor Liability and Worker's Compensation Insurance.**
- **Provide proof that the business entity Fasika, Inc. has current registration with the Minnesota Secretary of State.**
- **Provide the following information to complete the State AGED Liquor On Sale Certification application form:**
 - **A valid Minnesota Sales Tax Identification number for Fasika, Inc.**
 - **A Social Security number for Menderine Gebretsadik.**
- **Contact DSI Inspector Ross Haddow at 651-266-9143 to schedule the required in-house review of DSI's Liquor License Manual and the last three (3) years personal State and Federal tax returns for you and Menderine Gebretsadik.**

On November 4, 2022, you were sent a second (2nd) request letter from DSI giving you an update on the status of your license application. In order to continue processing your application you were required to submit the following information:

- **Sign and return one copy of the license condition affidavit acknowledging the conditions that will be placed on your license(s).**
- **Submit the documents listed above**
- **Submit payment of the license fee.**

On February 8, 2023, you were sent a third (3rd) request letter from DSI stating that the public notification period ended and no objections were submitted. However, your application remained in pending status because you have failed to complete the required actions for license issuance:

- **Submit payment of the license fee totaling \$5,091.00 as per the enclosed invoice.**
- **Sign and return one copy of the enclosed license condition affidavit acknowledging the conditions that will be placed on your license(s).**
- **Submit a completed Personal Affidavit for Menderine Gebretsadik.**
- **Provide the following information to complete the State AGED Liquor On Sale Certification application form:**
 - **A valid Minnesota Sales Tax Identification number for Fasika, Inc.**
 - **A Social Security number for Menderine Gebretsadik.**



- **Submit a Certificate of Insurance showing current Liquor Liability and Worker's Compensation Insurance.**
- **Provide proof that the business entity Fasika Inc has current registration with the Minnesota Secretary of State.**
- **Contact DSI Inspector Ross Haddow at 651-266-9143 to schedule the required in-house review of DSI's Liquor License Manual and the last three (3) years personal State and Federal tax returns for you and Menderine Gebrestsadik.**

The letter further explained that "Failure to submit the required information or request a withdrawal of your license application by February 21, 2023, will result in this matter being forwarded to the City Attorney with a recommendation to deny your license application."

As of today, DSI has not received the required information to process your application and license fee payment or a Request to Withdraw License Application.

You have four (4) options on how to proceed:

1. If I have not heard from you by **April 10, 2023**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. Submit the required information listed above and a license fee payment to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **April 10, 2023**. A self-addressed envelope is enclosed for your convenience. Submission of the required forms and payment of the license fees will be considered a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **April 10, 2023**. The matter will then be scheduled before the City Council to determine whether to deny the Liquor On Sale – 100 seats or less and Liquor On Sale – Sunday license applications. You will have an opportunity to appear before the City Council and make a statement on your own behalf.



4. You can withdraw your Liquor On Sale – 100 seats or less and Liquor On Sale – Sunday license applications. Complete and return the attached REQUEST TO WITHDRAW REQUEST FOR REFUND form to the Department of Safety and Inspections (DSI), located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **April 10, 2023**.

If you have not contacted me by April 10, 2023, I will assume that you do not contest the denial of your Liquor On Sale – 100 seats or less and Liquor On Sale – Sunday licenses. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact my Legal Assistant, Julie Kraus at (651) 266-8776.

Sincerely,

Therese Skarda
Assistant City Attorney
License No. 0402652

Cc: Fasika, Inc., 510 Snelling Avenue North, St. Paul, MN 55104
Sarah O'Brien, Executive Director, District 11 – Hamline Midway Coalition, Hamline Midway Library, 1558 W. Minnehaha Avenue, St. Paul, MN 55104

Attachment: Copy of Class N license Application
License Application Notification
Existing Conditions and Sec. 409.02 Definitions
August 15, 2022 letter from DSI
November 4, 2022 letter from DSI
February 8, 2023 letter from DSI
REQUEST TO WITHDRAW REQUEST FOR REFUND

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

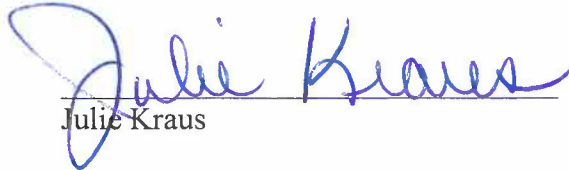
Julie Kraus, being first duly sworn, deposes and says that on the 30th day of March she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Fasika, Inc.
d/b/a Fasika Ethiopian Restaurant
510 Snelling Avenue North
St. Paul, MN 55104

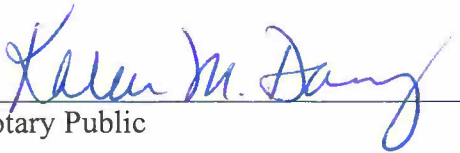
Fasika, Inc.,
510 Snelling Avenue North
St. Paul, MN 55104

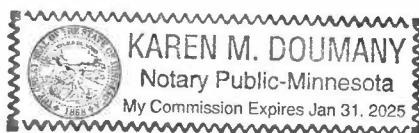
Sarah O'Brien, Executive Director
District 11-Hamline Midway Coalition
Hamline Midway Library
1558 W. Minnehaha Avenue
St. Paul, MN 55104

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
This 30th day of March ~~2022~~ 2023


Notary Public





CITY OF SAINT PAUL
Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101
Phone: 651-266-8989
Web: www.stpaul.gov/dsi

Class "N" License Application

LICENSES ARE NOT TRANSFERRABLE

Payment must be received with Each Application
This application is subject to review by the public.

Types of License(s) being applied for:

Fee(s):

- | | | |
|----|---|--------------|
| a. | <u>Liquor On-Sale - 100 seats or less</u> | <u>4,891</u> |
| b. | <u>Liquor On Sale Sunday</u> | <u>200</u> |
| c. | _____ | _____ |
| d. | _____ | _____ |
| e. | _____ | _____ |
| f. | _____ | _____ |
| g. | _____ | _____ |

Total: \$

Business Information

Business Address: 510 Snelling Ave. N. St. Paul MN 55104
Street City State Zip

Company Name: FASIKA INC. Doing Business As: Fasika Ethiopian Restaurant

Company Type: Corporation ☒ Partnership _____ Sole Proprietorship _____

Date of Incorporation: / / Anticipated Opening: / /

Mailing Address: 510 Snelling Ave. N. St. Paul MN 55104
Street City State Zip

Business Phone: 651-646-4747 Fax Number: _____

Applicant Information

Applicant Name: Atnafu — Yeshidagne
First Middle Last

Title: President Date of Birth: / /

Drivers License: _____ Email: Atnafu2001@gmail.com
State License #

Home Address: _____
Street City State Zip

Cell Phone: 612-408-4096 Alternate Phone: _____

(Continued on back)

Supplemental Required Information

Are you going to operate this business personally?

Yes: ☒

No: ☐

If no, who will operate it?

Operator Name:

Atnefu

Yeshidagne

Home Address:

Street

City

State

Zip

Date of Birth:

/ /

Phone #:

Are you going to have a manager or assistant in this business?

Yes: ☒

No: ☐

If manager is not the same as the operator, please complete the following information:

Manager Name:

Menderine

Gebreetsadik

Home Address:

Street

City

State

Date of Birth:

/ /

Phone:

Please list all other officers of the corporation (Attach another sheet if applicable.)

Officer Name:

Menderine

Gebreetsadik

Title:

Secretary

Email:

Home Address:

Street

City

State

Zip

Date of Birth:

/ /

Phone:

Officer Name:

First

Middle

Last

Title:

Email:

Home Address:

Street

City

State

Zip

Date of Birth:

/ /

Phone:

Officer Name:

First

Middle

Last

Title:

Email:

Home Address:

Street

City

State

Zip

Date of Birth:

/ /

Phone:

FALSIFICATION OF ANSWERS GIVEN OR MATERIAL SUBMITTED WILL RESULT IN DENIAL OF APPLICATION.

I hereby state that I have answered all of the preceding questions and that the information contained herein is true and correct to the best of my knowledge and belief.

Applicant Signature

Title

President

Date

8/1/22

LICENSE APPLICATION NOTIFICATION

License Number: 20010000419

Application for: Liquor On Sale - 100 seats or less and Liquor On Sale – Sunday.
*NOTE: This notice is to permit an **existing establishment** currently licensed to sell Wine and Beer On-sale **to upgrade to a full Liquor On Sale license**. No other changes are proposed at this time.*

License at: 510 Snelling Ave N

Licensee: Fasika Inc, doing business as Fasika Ethiopian Restaurant
Atnafu Yeshidagne, co-owner, 651-646-4747

Recommended License Conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant".
2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per City Section 409.02 of the City of Saint Paul Legislative Code.

Deadline for Response Date: Friday, September 30, 2022 at 4:30 p.m.

If you have any objections to the license application, you must respond in writing by Friday, September 30, 2022 to:

Legislative Hearing Officer
310 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 55102

Or email to: LH-Licensing@ci.stpaul.mn.us

If you have any questions, please contact DSI Inspectors Ross Haddow or Jeff Fischbach at 651-266-8989.

Notice Mailed: Monday, August 15, 2022

EXISTING CONDITIONS

1. Licensee is responsible for maintaining off-street parking, in accordance with provisions of the Saint Paul Zoning Ordinance. A lease agreement for shared parking was submitted and approved by this office (2/5/01) to meet the parking requirement. The licensee shall notify this office (DSI) if the shared parking agreement/lease is changed, not renewed, expired, canceled, or for any other reason and shall provide an alternative plan to meet city parking requirements for this licensed activity.

Sec. 409.02. Definitions.

Restaurant shall mean:

(1) For establishments licensed to serve liquor at on-sale prior to February 1, 2016, an establishment other than a hotel, whose food and liquor services are under the control of a single proprietor or manager, having appropriate facilities for the serving of meals for no fewer than fifty (50) guests at one (1) time, having a full service kitchen and a menu, offering meals and full menu service on a daily basis to at least 11:00 p.m. or to the closing time of the entire establishment, and whose gross receipts are at least sixty (60) percent attributable to the sale of food during each and every calendar month. A full service kitchen for the purpose of this chapter shall include at the least a cooking line with mechanical ventilation, having two (2) or more ovens and ranges; food preparation areas having sinks, cutting boards, and facilities and equipment for the preparation, holding at safe temperatures, and processing of food on site; refrigerators and/or coolers for the safe storage of food; and mechanical dishwashing facilities and equipment; all of the foregoing meeting the requirements of Chapter 331 of the Legislative Code and NSF International standards.

(2) For establishments first licensed to serve liquor at on-sale on February 1, 2016, or thereafter, an establishment other than a hotel, whose food and liquor services are under the control of a single proprietor or manager, serving food and beverages, meeting the definition in Minn. Stats. § 157.15, subd. 12, and classified as a high- or medium-risk establishment under Minn. Stats. § 157.20, subd. 2a, that meets the following additional criteria:

- a. Derives a substantial amount of its income from the sale of foods and non-alcoholic beverages.
- b. Has a full-service kitchen, including:
 1. At least one (1) cooking line with required ventilation;
 2. One (1) or more ovens and ranges, or other cooking equipment as approved by the director;
 3. Food preparation areas having sinks;
 4. Refrigerators and/or coolers for the safe storage of food;
 5. All of the above elements meeting relevant NSF International standards.
- c. Maintains all food- and health-related licenses and permits necessary to operate as a high or medium risk establishment as defined in Minn. Stats. § 157.20, subd. 2a.
- d. Offers adequate interior seating for not less than thirty (30) guests at a time.
- e. Prepares meals on-premises, which are served to guests seated at tables or other eating surfaces.
- f. Only sells intoxicating liquors to patrons who are seated at an eating surface, unless the patron being served is on a bona fide waiting list for available seating.
- g. Ends all food and beverage service no later than 12:00 a.m., and closes no later than 12:30 a.m.
- h. Offers a menu including at least four (4) entrees, or as otherwise approved by the department.
- i. Offers full menu service during all hours of operations, with the exception of the hour prior to closing.
- j. Actively promotes food sales to all guests within the licensed premises of the restaurant during all hours of full menu service.
- k. Maintains a kitchen open for meal service, which is appropriately staffed and supplied to fulfill orders from the menu in effect during all hours of full menu service.
- l. Allows no greater than ten (10) percent of the area of the licensed premises to be used for entertainment purposes, including, but not limited to, dancing or musical performance.
- m. Makes business records, including, but not limited to, federal and state tax returns, available for inspection by the Director or the Director's designee at all reasonable times.

The failure of a restaurant holding an on-sale liquor license to abide by the above criteria shall constitute grounds for adverse action against said license. Restaurants holding an on-sale liquor license prior to February 1, 2016, may elect to operate pursuant to the definition outlined in subsection (2), above, by notifying the department in writing. Any restaurant electing to operate pursuant to the definition outlined in subsection (2) may not subsequently elect to operate under the definition outlined in subsection (1).



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9040
Web: www.stpaul.gov/dsi

August 15, 2022

Fasika Ethiopian Restaurant
Attn: Atnafu Yeshidagne
510 Snelling Ave N
St Paul MN 55104

RE: License Application for Fasika Inc, doing business as Fasika Ethiopian Restaurant, ID # 20010000419, Located at 510 Snelling Ave N / Upgrade to a **Liquor On Sale - 100 seats or less and Liquor On Sale - Sunday licenses**

Dear Applicant:

Review of your application for a license is in process. Notification has been sent to the community organization and neighbors for the area you intend to operate in giving them until **Friday, September 30, 2022** to voice concerns to your application. Enclosed is an affidavit listing conditions DSI recommends be placed on this license. If you accept these conditions, please sign and return the affidavit. If you want to oppose placement of any of the conditions on the license, or have any questions, please contact DSI at one of the numbers referenced below so that we may explain your options.

If no objections are received, and you have returned a signed affidavit, your license will be forwarded to the City Council for review and if approved by Council could then be issued (pending any requirements not completely met). If objections are received a hearing will be scheduled before a legislative hearing officer. You will receive notice of the time, place and date of the scheduled hearing from the Legislative Hearing Officer. At that hearing, the hearing officer will take testimony from all interested persons and will make a recommendation to the City Council as to whether the license(s) should be approved or be referred to an administrative law judge for further review. The City Council will have the final authority to grant or deny this license application.

Requirements including the following must be met prior to the issuance of your licenses:

- Sign and return one copy of the enclosed license condition affidavit acknowledging the conditions that will be placed on your license(s). A return envelope has been included for your convenience.
- Submit a completed Personal Affidavit for Menderine Gebretsadik (see enclosed copy).
- Submit a Certificate of Insurance showing current Liquor Liability and Workers' Compensation Insurance.
- Provide proof that the business entity Fasika Inc has current registration with the Minnesota Secretary of State.
- Provide the following information to complete the State AGED Liquor On Sale Certification application form:
 - A valid Minnesota Sales tax identification number for Fasika Inc
 - A social security number for Menderine Gebretsadik
- Contact DSI Inspector Ross Haddow at 651-266-9143 to schedule the required in-house review of DSI's Liquor License Manual and the last 3 years personal State and Federal tax returns for you and Menderine Gebretsadik.

Finally, if a determination is made a liquor on sale license can be issued you will be informed of the license fee payment you'll need to submit for the upgraded license type. If you have any questions, please contact Mr. Haddow at 651-266-9143, or me at 651-266-9106.

Sincerely,

Jeff Fischbach
DSI Inspector
enc.

Disclaimer: This letter is not an indication that your application will be granted. This letter is intended simply as notice of the ongoing process of your pending application.

An Equal Opportunity Employer



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9040
Web: www.stpaul.gov/dsi

November 4, 2022

Fasika Ethiopian Restaurant
Attn: Atnafu Yeshidagne
510 Snelling Ave N
St Paul MN 55104

RE: License Application for Fasika Inc, doing business as Fasika Ethiopian Restaurant, ID # 20010000419, Located at 510 Snelling Ave N / **Liquor On Sale – 100 seats and Liquor On Sale – Sunday** (upgrade from Wine/Malt On Sale)

Dear Applicant:

This letter is intended to update you on the status of your above referenced pending license application. Public license notification has ended and no objections were submitted. So that DSI Licensing Division may continue processing your application **you must submit the following:**

- Sign and return one copy of the enclosed license condition affidavit acknowledging the conditions that will be placed on your license(s). A return envelope has been included for your convenience.

Upon receipt of the signed affidavit your request will be sent to the City Council for review. City Council approval is required for issuance of a Liquor On Sale license.

Prior to final approval and issuance of any license requirements including the following must:

- Submit a completed Personal Affidavit for Menderine Gebretsedik (see enclosed copy).
- Provide the following information to complete the State AGED Liquor On Sale Certification application form:
 - A valid Minnesota Sales tax identification number for Fasika Inc.
 - A social security number for Menderine Gebretsedik.
- Submit a Certificate of Insurance showing current Liquor Liability and Workers' Compensation Insurance.
- Provide proof that the business entity Fasika Inc has current registration with the Minnesota Secretary of State.
- Contact DSI Inspector Ross Haddow at 651-266-9143 to schedule the required in-house review of DSI's Liquor License Manual and the last 3 years personal State and Federal tax returns for you and Menderine Gebretsedik.
- Submit payment of the license fee. The fee amount owed will be determined once all applicable requirements have been met since the license must expire with your Liquor Liability insurance expiration date.

You may contact DSI Inspector Ross Haddow at 651-266-9143 or me at 651-266-9106 with any questions regarding this matter.

Sincerely,

Jeff Fischbach
DSI Inspector III

enc.

c. Atnafu Yeshidagne, Home Address
Menderine Gebretsedik, Home Address

Disclaimer: This letter is not an indication that your application will be granted. This letter is intended simply as notice of the ongoing process of your pending application.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9040
Web: www.stpaul.gov/dsi

February 8, 2023

Fasika Ethiopian Restaurant
Attn: Atnafu Yeshidagne
510 Snelling Ave N
St Paul MN 55104

RE: License Application for Fasika Inc, doing business as Fasika Ethiopian Restaurant, ID # 20010000419, Located at 510 Snelling Ave N / **Liquor On Sale – 100 seats and Liquor On Sale – Sunday** (upgrade from Wine/Malt On Sale)

Dear Applicant:

As stated in a previous letter dated 11/04/2022, public license notification has ended and no objections were submitted. You've failed to complete all required actions for license issuance. At this time the application remains in a pending status, and your *failure to take appropriate, timely action will result in the application being forwarded to the City Attorney with a recommendation for denial.*

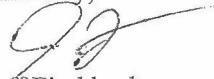
So that DSI may continue processing your application **you must complete the following by 02/21/2023:**

- Submit payment of the license fee totaling \$5,091.00 as per the enclosed invoice.
- Sign and return one copy of the enclosed license condition affidavit acknowledging the conditions that will be placed on your license(s). A return envelope has been included for your convenience.
- Submit a completed Personal Affidavit for Menderine Gebretsedik (see enclosed copy).
- Provide the following information to complete the State AGED Liquor On Sale Certification application form:
 - A valid Minnesota Sales tax identification number for Fasika Inc.
 - A social security number for Menderine Gebretsedik.
- Submit a Certificate of Insurance showing current Liquor Liability and Workers' Compensation Insurance.
- Provide proof that the business entity Fasika Inc has current registration with the Minnesota Secretary of State.
- Contact DSI Inspector Ross Haddow at 651-266-9143 to schedule the required in-house review of DSI's Liquor License Manual and the last 3 years personal State and Federal tax returns for you and Menderine Gebrestsadik.

Alternative, if you no longer wish to upgrade to a full liquor on sale license submit a written request to withdraw your application.

Failure to submit the required information or a request to withdraw your application by 02/21/2023 will result in this matter being forwarded to the City Attorney with a recommendation to deny your application request. You may contact DSI Inspector Ross Haddow at 651-266-9143 or me at 651-266-9106 with any questions regarding this matter.

Sincerely,


Jeff Fischbach
DSI Inspector III
enc.

c. Atnafu Yeshidagne, Home Address and via email at atnafu2001@gmail.com
Menderine Gebretsedik, Home Address

Disclaimer: This letter is not an indication that your application will be granted. This letter is intended simply as notice of the ongoing process of your pending application.