



## Legislation Details (With Text)

**File #:** 2016-0235      **Version:** 2

**Type:** Resolution      **Status:** Passed Finally

**File created:** 3/22/2016      **In control:** Committee on Intergovernmental Affairs

**On agenda:** 3/22/2016      **Final action:** 5/3/2016

**Enactment date:** 5/3/2016      **Enactment #:** 228

**Effective date:** 5/3/2016

**Title:** Resolution requesting the approval of an inter-municipal transfer of liquor license, License No. R-12177, LID-64109 from CBear, LLC., 11822 Frankstown Rd., Pittsburgh, PA 15235 to the Applicant, Fumanchew, LLC., 2101 Woodward Ave., Pittsburgh, PA 15226 for the premises located at 4401 Butler St., Pittsburgh, PA 15201, known as "Ki Ramen", pursuant to amended Pennsylvania Liquor Code, §4-461.

**Sponsors:**

**Indexes:** INTER-MUNICIPAL TRANSFER

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/3/2016	2	City Council	Passed pursuant to 47 P.S. Sec. 4-461	
5/3/2016	2	City Council	Passed Finally	Pass
4/27/2016	2	Standing Committee	AMENDED	Pass
4/27/2016	2	Standing Committee	Affirmatively Recommended as Amended	Pass
4/25/2016	1	Committee on Hearings	Public Hearing Held	
3/30/2016	1	Standing Committee	Held for Cablecast Public Hearing	Pass
3/22/2016	1	City Council	Read and referred	

Resolution requesting the approval of an inter-municipal transfer of liquor license, License No. R-12177, LID-64109 from CBear, LLC., 11822 Frankstown Rd., Pittsburgh, PA 15235 to the Applicant, Fumanchew, LLC., 2101 Woodward Ave., Pittsburgh, PA 15226 for the premises located at 4401 Butler St., Pittsburgh, PA 15201, known as "Ki Ramen", pursuant to amended Pennsylvania Liquor Code, §4-461.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Sectin 1.** The Council of the City of Pittsburgh hereby endorses the request for approval of an inter-municipal transfer of a liquor license, License No. R-12177, LID-6401 from CBear, LLC., 11822 Frankstown Rd., Pittsburgh, PA 15235 to the Applicant, Fumanchew, LLC., for the premises located at 4401 Butler St., Pittsburgh, PA 15201, known as "Ki Ramen", pursuant to amended Pennsylvania Liquor Code, §4-461.

**Section 2.** Request for Approval

Fumanchew, LLC., which has a mailing address of 2101 Woodward Ave., Pittsburgh, PA 15226 submitted a request for approval of an inter-municipal transfer of a liquor license, License No. R-12177, LID-64109, which is currently registered to CBear,

LLC., 11822 Frankstown Rd., Pittsburgh, PA 15235 - desires to place a liquor license into premises known as "Ki Ramen" and numbered 4401 Butler St. Pittsburgh, PA 15201. The proposed interior of the premises will comprise of approximately Square Feet of floor area.

### Section 3. Public Hearing

City Council shall set a date for Public Hearing for the purpose of receiving comments and recommendations of interested individuals residing in the City of Pittsburgh concerning intent to transfer the above liquor license.

### Section 4. Approval or Denial of Request

After the Public Hearing, which was held April 25, 2016, and within 45 days of the introduction of this Resolution, City Council shall render a decision to approve or disapprove the request for inter-municipal transfer of a liquor license. City Council must approve Ki Ramen's request unless it finds that approval would adversely affect the welfare, health, peace and morals of the City of Pittsburgh or its residents.

### Section 5. The owners have agreed to limit their hours during the week to protect the quality of life of nearby residents. The establishment would close by midnight Sunday - Thursday, and would remain open until 2:00 AM Friday's - Saturday.

1. The owners are planning to convert the existing garage located at the rear of the establishment, that sits along 44<sup>th</sup> St. and Eden Way into a bar, with garage door openings that would open to 44<sup>th</sup> Street. Given the directly adjacent residential area along 44<sup>th</sup> St, and the concerns with noise, we are asking that the following conditions be met:
  - a. Garage doors be closed by 9:00 pm on weeknights (Sunday - Thursday) and by 11:00 pm on weekend nights (Friday and Saturday) weather permitting.
  - b. No live entertainment within the garage.
  - c. Soundproofing to be installed through sound panels or other systems to absorb sound and to prohibit amplified sound or any sound from traveling out of the establishment.
2. The owners have planned a deck that would be built on top of the existing garage. There were noise and public safety concerns raised in the meeting:
  - a. No live entertainment or speakers/ amplified sound on the deck.
  - b. The deck would close by 10:00 pm during the week and by 11:00 on weekends.
  - c. A wall around the perimeter be built for the safety of patrons, and that noise absorption materials be applied to capture sound.
3. No café tables on the sidewalk along 44<sup>th</sup> St. so as to protect the public right of way and accessibility for pedestrians.
4. Dumpster location, and trash/ recycling pick-up:
  - a. Dumpsters will be located at rear of the establishment, and will be screened appropriately as part of a corral or other enclosure. Dumpsters will be picked up twice a week and pick-up will not occur before 7:00 AM.
  - b. Staff will not carry loud recyclables or other trash out between the hours of 11:00 PM and 7:00 AM.
  - c. Grease will be collected once a week and will be timed so as to not occur between the hours of 11:00 PM and 7:00 AM.
  - d. Any loading, unloading, and pick-up will be done in a way as to not disrupt pedestrian and vehicular traffic patterns and safety at the intersection of Eden Way and 44<sup>th</sup> Street.