



## Legislation Details (With Text)

**File #:** RES 13-258    **Version:** 3  
**Type:** Resolution    **Status:** Passed  
**In control:** City Council  
**Final action:** 2/20/2013

**Title:** Waiving the three hundred (300) foot distance requirement for issuance of Liquor Off Sale, Retail Food (B) Grocery 101-1000 sq. ft, and Cigarette/Tobacco licenses to Plankton Holding, Inc., d/b/a The Liquor Vault (License ID #:20130000044) at 170 Tenth Street East.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. 300 ft. Distance Requirement Waivers.pdf, 2. License Condition Affidavit.pdf

Date	Ver.	Action By	Action	Result
2/25/2013	3	Mayor's Office	Signed	
2/20/2013	3	City Council	Adopted	Pass

Waiving the three hundred (300) foot distance requirement for issuance of Liquor Off Sale, Retail Food (B) Grocery 101-1000 sq. ft, and Cigarette/Tobacco licenses to Plankton Holding, Inc., d/b/a The Liquor Vault (License ID #:20130000044) at 170 Tenth Street East.

WHEREAS, Plankton Holding, Inc. d/b/a The Liquor Vault (License ID #: 20130000044), located at 170 - 10<sup>th</sup> Street East in Saint Paul, has requested a waiver of the three hundred (300) foot distance requirement outlined in Saint Paul Legislative Code § 409.06 (i), for issuance of Liquor Off Sale, Retail Food (B) Grocery 101-1000 sq. ft, and Cigarette/Tobacco licenses; and

WHEREAS, CapitolRiver District Council 17, was sent notice and did not voice an objection to the issuance of the licenses; and

WHEREAS, Fahiye Child Care Center and the Church of Saint Mary located within three hundred (300) feet of the licensed premises were sent a notice and have agreed to the waiver of the three hundred (300) foot distance requirement; 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 signed an Condition Affidavit on January 25, 2013 listing six (6) conditions placed on the licenses; now, therefore, be it,

RESOLVED, that the three hundred (300) foot distance requirement outlined in § 409.06 (i) of the Saint Paul Legislative Code is hereby waived and the Liquor Off Sale, Retail Food (B) Grocery 101-1000 sq. ft, and Cigarette/Tobacco licenses are issued to Plankton Holding, Inc. d/b/a The Liquor Vault, located at 170-10<sup>th</sup> Street East in Saint Paul, subject to the agreement stated above.