Legislation Details (With Text)

File #:	RES 16-1411 **Version:** 1
Type:	Resolution
Status:	Passed
In control:	City Council
Final action:	8/17/2016
Title:	Waiving the three-hundred (300) foot separation distance requirement from a protected use in order to add a Liquor-Outdoor Service Area (Patio) license to extend liquor service to a new outdoor patio, and expand the indoor liquor service area into a newly remodeled space adjacent and immediately to the east of the existing indoor liquor service area, with a new condition, to El Burrito Market, Inc., d/b/a El Burrito Mercado (License ID #0018675) at 175 Cesar Chavez Street.
Sponsors:	Rebecca Noecker
Indexes:	
Code sections:	
Attachments:	1. Good Faith Letter and letter to neighbors, 2. Email with final petition count, 3. West Side Community Organization letters of support, 4. Saint Gabriel Eritrean Orthodox Church Consent Petition, 5. Signed license condition affidavit dated June 17th 2016

Date	Ver.	Action By	Action	Result
8/19/2016	1	Mayor's Office	Signed	
8/17/2016	1	City Council	Adopted	Pass

Waiving the three-hundred (300) foot separation distance requirement from a protected use in order to add a Liquor-Outdoor Service Area (Patio) license to extend liquor service to a new outdoor patio, and expand the indoor liquor service area into a newly remodeled space adjacent and immediately to the east of the existing indoor liquor service area, with a new condition, to El Burrito Market, Inc., d/b/a El Burrito Mercado (License ID #0018675) at 175 Cesar Chavez Street.

WHEREAS, El Burrito Market, Inc. d/b/a El Burrito Mercado (License ID #0018675) for the premises located at 175 Cesar Chavez Street in Saint Paul requested a waiver of the three-hundred (300) foot separation distance requirement from a protected use as outlined in Saint Paul Legislative Code § 409.06 (n), in order to add a Liquor-Outdoor Service Area (Patio) license to extend liquor service to a new outdoor patio and expand the indoor liquor service area into a newly remodeled space adjacent and immediately to the east of the existing indoor liquor service area; and

WHEREAS, the licensee submitted a "Good Faith" letter indicating an effort to obtain the required number of petition signatures; and

WHEREAS, the licensee was able to obtain thirteen (13) out of a possible thirty (30) petition signatures for 43 percent (43%) support to add a Liquor Outdoor Service Area (Sidewalk) license; and

WHEREAS, DSI received two (2) letters from the West Side Community Council indicating no objection to the proposed indoor expansion and adding a Liquor Outdoor Service Area (Sidewalk) license; and

WHEREAS, a notice was sent to all property owners within three hundred and fifty (350) feet of the licensed premises and no objections were received; and

WHEREAS, Saint Gabriel Eritrean Orthodox Church, located within three-hundred (300) feet of the licensed

premises, submitted a signed a petition consenting to the addition of a Liquor-Outdoor Service Area (Patio) license to extend liquor service to a new outdoor patio and expand the indoor liquor service area into a newly remodeled space adjacent and immediately to the east of the existing indoor liquor service area; and

WHEREAS, the Council finds that the application is in order and there are no grounds to deny either the waiver or the license; now therefore be it

RESOLVED, the three-hundred (300) foot separation distance requirement from a protected use as outlined in § 409.06 (n) of the Saint Paul Legislative Code is hereby waived and a Liquor-Outdoor Service Area (Patio) license is hereby granted to El Burrito Market, Inc. d/b/a El Burrito Mercado (License ID #0018675) for the premises located at 175 Cesar Chavez Street with the following additional condition:

7. Licensee acknowledges that any outdoor amplification of music, broadcasted events,or entertainment required prior written approval from DSI and may result in additional license conditions.