



## Legislation Details (With Text)

**File #:** RES 16-1742 **Version:** 1

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

**In control:** City Council

**Final action:** 10/19/2016

**Title:** Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Gambling Location license to the existing Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, and Shared Parking Agreement licenses, for Santos Corporation (I.D. #0016383), d/b/a La Cucaracha Restaurant at 36 Dale Street South.

**Sponsors:** Rebecca Noecker

**Indexes:** License, Ward - 2

**Code sections:**

**Attachments:** 1. Minutes, 2. Signed Conditions Affidavit, 3. Shared Parking Requirement, 4. Notification, 5. Application, 6. Floor Plan, 7. District Council Letter of Support, 8. Email and Letter of Concern, 9. Additional Letter of Concern, 10. Site Photos, 11. STAMP Activity, 12. Police Incident Report

Date	Ver.	Action By	Action	Result
10/21/2016	1	Mayor's Office	Signed	
10/19/2016	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Gambling Location license to the existing Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, and Shared Parking Agreement licenses, for Santos Corporation (I.D. #0016383), d/b/a La Cucaracha Restaurant at 36 Dale Street South.

WHEREAS, the Santos Corporation, d/b/a La Cucaracha Restaurant, has applied for a Gambling Location license to add to its existing Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, and Shared Parking Agreement licenses, and

WHEREAS, § 409.21 of the Saint Paul Legislative Code permits issuance of a gambling location license to an on-sale licensee to allow lawful gambling conducted by a qualified charitable organization; and

WHEREAS, the license will allow the Santos Corporation, d/b/a La Cucaracha Restaurant, to conduct lawful gambling as defined by § 409.21 (a) (1) of the Saint Paul Legislative Code at 36 Dale Street South; and

WHEREAS, CHOPS is a nonprofit organization licensed by the state to conduct lawful gambling and is in compliance with Minnesota Statute § 349; and

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for the gambling location license for operation at La Cucaracha Restaurant be approved with the following conditions:

1. Parking lot must be striped and clearly identified as customer parking only.
2. The bar area within the restaurant may not be expanded in accordance with the application for variance and the site plan on file with the Zoning administrator.
3. The La Cucaracha Restaurant cannot expand into any of the space formerly occupied as a pharmacy.

4. The La Cucaracha Restaurant must lease seven (7) off-street parking spaces for use by restaurant employees. These off-street parking spaces must be maintained so long as the premises is licensed as an On-Sale Liquor establishment. A copy of the off-street parking lease must be posted on the premises. A copy of the lease shall be provided to DSI.

5. The applicant and the applicant's successors and assigns agree to waive any right to a hearing or appeal under Saint Paul legislative Code 310.05 or any decision of the Saint Paul City Council as it pertains to a decision on future expansion of the liquor service area in the premises.

THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions.

The Conditions Affidavit was submitted on July 28, 2016.