



Legislation Details (With Text)

File #: RES 19-13 **Version:** 1

Type: Resolution **Status:** Passed
In control: City Council
Final action: 1/2/2019

Title: Approving adverse action against the Cigarette/Tobacco-Product Shop license submitted by Zakariya Abukhudeer, d/b/a One Stop Tobacco at 1541 Maryland Avenue East.

Sponsors: Dan Bostrom

Indexes:

Code sections:

Attachments: 1. Notice of Intent to Deny License with Affidavit of Service.pdf, 2. BZA Resolution #18-110426 dated October 22nd 2018.pdf, 3. November 8th 2018 DSI letter to applicant.pdf, 4. License Group Comments Text and licensee information.pdf, 5. Section 65.535 - Tobacco Products Shop.pdf, 6. STAMP Property Ownership Information.pdf

Date	Ver.	Action By	Action	Result
1/7/2019	1	Mayor's Office	Signed	
1/2/2019	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco-Product Shop license submitted by Zakariya Abukhudeer, d/b/a One Stop Tobacco at 1541 Maryland Avenue East.

WHEREAS, the Cigarette/Tobacco-Product Shop license application submitted by Zakariya Abukhudeer d/b/a One Stop Tobacco (License ID# 20180003401) for the premises located at 1541 Maryland Avenue East in Saint Paul was the subject of a Notice of Intent to Deny License sent November 29, 2018; and

WHEREAS, the Notice stated the license could not be issued because there was an existing Cigarette/Tobacco-Product Shop operating within 1,715 feet of the proposed location at 1375 Maryland Avenue East; and

WHEREAS, Saint Paul Legislative Code § 65.535(a) states "no tobacco products shop shall be located within one-half (1/2) mile (2,640 feet) of another tobacco products shop"; and

WHEREAS, based on this information, the licensing department recommended denial of the Cigarette/Tobacco-Product Shop license application; and

WHEREAS, on December 4, 2018, the City Attorney's office was contacted by a party working with the licensee who stated the applicant understood the reason for denial and would formally withdraw the license application; and

WHEREAS, the applicant has since failed to follow-up and withdraw the license application with the Department of Safety and Inspections by the December 10, 2018 deadline; and

WHEREAS, the Notice of Intent to Deny License stated that if the applicant failed to follow-up to request a public hearing, administrative hearing or withdraw the license application by December 10, 2018, that the matter would be placed on the January 2, 2019 Council Consent Agenda to impose the recommended penalty;

now, therefore, be it

RESOLVED, the Cigarette/Tobacco-Product Shop license application submitted by Zakariya Abukhudeer d/b/a One Stop Tobacco (License ID# 20180003401) for the premises located at 1541 Maryland Avenue East in Saint Paul is hereby denied.