

TO: MAYOR AND CITY COUNCIL

FROM: DIANNE HOWARD, LICENSE AND PERMIT TECHNICIAN

SUBJECT: Combination Liquor License for Artisan Plaza

MEETING DATE: Tuesday, September 18, 2018

BACKGROUND

Artisan Plaza is reapplying for a Combination Liquor License. If approved, the revised application will allow limited sales of beer and wine in the area defined in the enclosed attachment. Alcohol and Gambling Enforcement Division (AGED) staff made an on-site visit on August 21, 2018 and approved the proposed area for the Combination Liquor License. This request is not for an additional sales area, but rather a relocated sales area that is more contained and suited for this type of business. The license holder will follow the same rules and limitations as initially approved by the Council and as outlined by the enclosed attachments. Staff recommends approval of the revised Combination Off-Sale and On-Sale Intoxicating Liquor License for Artisan Plaza, LLC in accordance with the stipulations described by the attachments.

REQUESTED COUNCIL ACTION

I respectfully request approval of the Combination Liquor License to Artisan Plaza, LLC.

COMBINATION OFF-SALE AND ON-SALE INTOXICATING LIQUOR LICENSE

- **Off-sale shall be conducted from behind the bar and consumption of product sold off-sale within the licensed premises is not allowed.**
- **The area for off-sale may not exceed 600 square feet (Ordinance No. 360).**
- **Off-sale beer and wine cannot be displayed on counter for advertising and must be stored below the counter within the area depicted on the attached Exhibit A floor plan.**
- **Blackboards/billboards are considered legal forms of advertising.**
- **Each combination liquor license shall have one off-street vehicular parking space for each two hundred square feet of retail service area within the proposed off-sale liquor establishment, with 10 parking spaces as minimum required (Ordinance No. 360).**
- **On-sale and off-sale licenses are not permitted on the same premises unless a combination license has been issued by the City.**
- **There will be a limit of one combination license issued in the City of Cannon Falls (Ordinance No. 360).**

CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA

ORDINANCE NUMBER 360
SECOND SERIES

AN ORDINANCE AMENDING CHAPTER 111 OF THE CANNON FALLS CITY CODE
CONCERNING ALCOHOL LICENSING AND REGULATION

THE CITY COUNCIL OF CANNON FALLS ORDAINS:

Section 1. Chapter 111 of the Cannon Falls City Code is hereby amended to add Section 111.092:

COMBINATION LICENSES

The City may issue a combination off-sale and on-sale intoxicating license to the same licensee in lieu of issuing separate licenses but the area for off-sale may not exceed 600 square feet. The City may only issue one combination off-sale and on-sale intoxicating license.

Section 2. Section 111.089(B) of the Cannon Falls City Code is hereby amended to provide as follows:

- (B) License Standards. Each off-sale liquor licensee shall have one (1) off-street vehicular parking space for each two hundred (200) square feet of retail service area within the proposed off-sale liquor establishment, with ten (10) parking spaces as the minimum required. No off-sale licensee shall be permitted to locate his or her off-sale liquor establishment within the same premises as occupied by an on-sale licensee unless the licensee has been issued a combination license by the City.

Section 3. Effective Date. This ordinance shall be effective immediately upon its passage and publication according to law.

PASSED AND DULY ADOPTED this 17th day of April, 2018 by the City Council of the City of Cannon Falls, Minnesota.

CITY OF CANNON FALLS

BY: _____
Lyman M. Robinson, Mayor

ATTEST:

Lanell Endres, Interim City Administrator

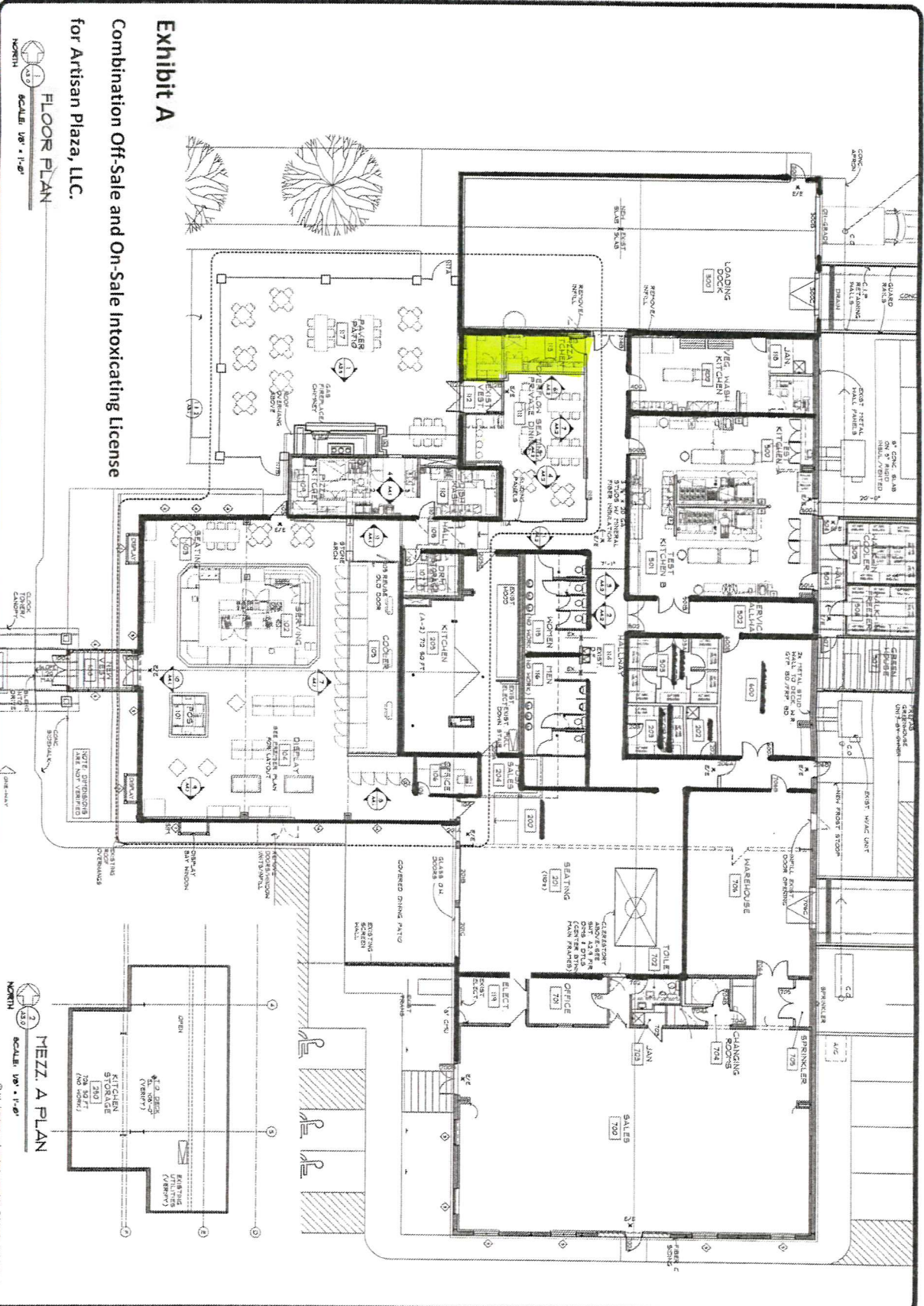


Exhibit A
Combination Off-Sale and On-Sale Intoxicating License
for Artisan Plaza, LLC.

FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 NORTH

MEZZ. A PLAN
 SCALE: 1/8" = 1'-0"
 NORTH

	<p>architects, inc.</p>	<p>ARTISAN PLAZA CANNON FALLS, MINNESOTA.</p>	<p>203 NW 1ST AVE FARGO, ND 58103 507/734-7252</p>	<p>DATE: 05-17-2011 LICENSE NO. 9818 DAVID J. ANDERSON</p>	<p>THIS DOCUMENT IS THE PROPERTY OF A3.0 ARCHITECTS, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR REPRODUCTION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF A3.0 ARCHITECTS, INC. IS STRICTLY PROHIBITED.</p>
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Dave Maroney

To: Artisan Plaza, LLC Combination Liquor License File
Subject: AGED Approval
Attachments: Cannon Falls Combination License Ordinance Draft 9 18.pdf

From: McManus, Mike (DPS) [<mailto:mike.mcmanus@state.mn.us>]
Sent: Thursday, September 13, 2018 9:14 AM
To: Dianne Howard; Dave Maroney
Cc: Cincotta, Carla (DPS); Murray, Kellie (DPS)
Subject: RE:

September 13, 2018

Dianne Howard
License and Permit Technician/
Administrative Assistant
City Hall Administration
918 River Road
Cannon Falls, MN 55009

Dianne,

I cannot provide the city with legal advice, but I can comment based on my regulatory and licensing experience.

The City of Cannon Falls can lawfully issue combination on and off-sale licenses. The combination license the city has issued has been approved at the state level under the provisions of Minnesota Statute 340A.406. The local ordinance (see attached) would appear lawful under the provisions of Minnesota Statute 340A.509. A local authority may impose further restrictions and regulations on the sale and possession of alcoholic beverages within its limits.

This is what the city of Cannon Falls has done.

I hope this email has addressed your inquiry, let me know if you have any further questions.

Signed,



Michael T. McManus
Supervisor Regulatory Investigations Alcohol Enforcement
MN DPS Alcohol and Gambling Enforcement
445 Minnesota st Suite 222 | Saint Paul, MN 55101
651-201-7502 (Direct) | 651-297-5259 (Fax) | mike.mcmanus@state.mn.us

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At the Alcohol and Gambling Enforcement Division we take very seriously our role in educating the public on alcohol and gambling laws. We regularly use our Facebook page and our Twitter account as well as Department of Public Safety Instagram and blog posts to help spread the word about education and messages about our division to as many people as possible. We encourage you to follow AGED on social media and check out the DPS blog on a regular basis for information you can use on your own social media channels to help keep people in your communities across Minnesota educated.

REVIEWED

By MMcManus Supervisor Investigations MN DPS AGED at 9:04 am, Sep 13, 2018

COMBINATION OFF-SALE AND ON-SALE INTOXICATING LIQUOR

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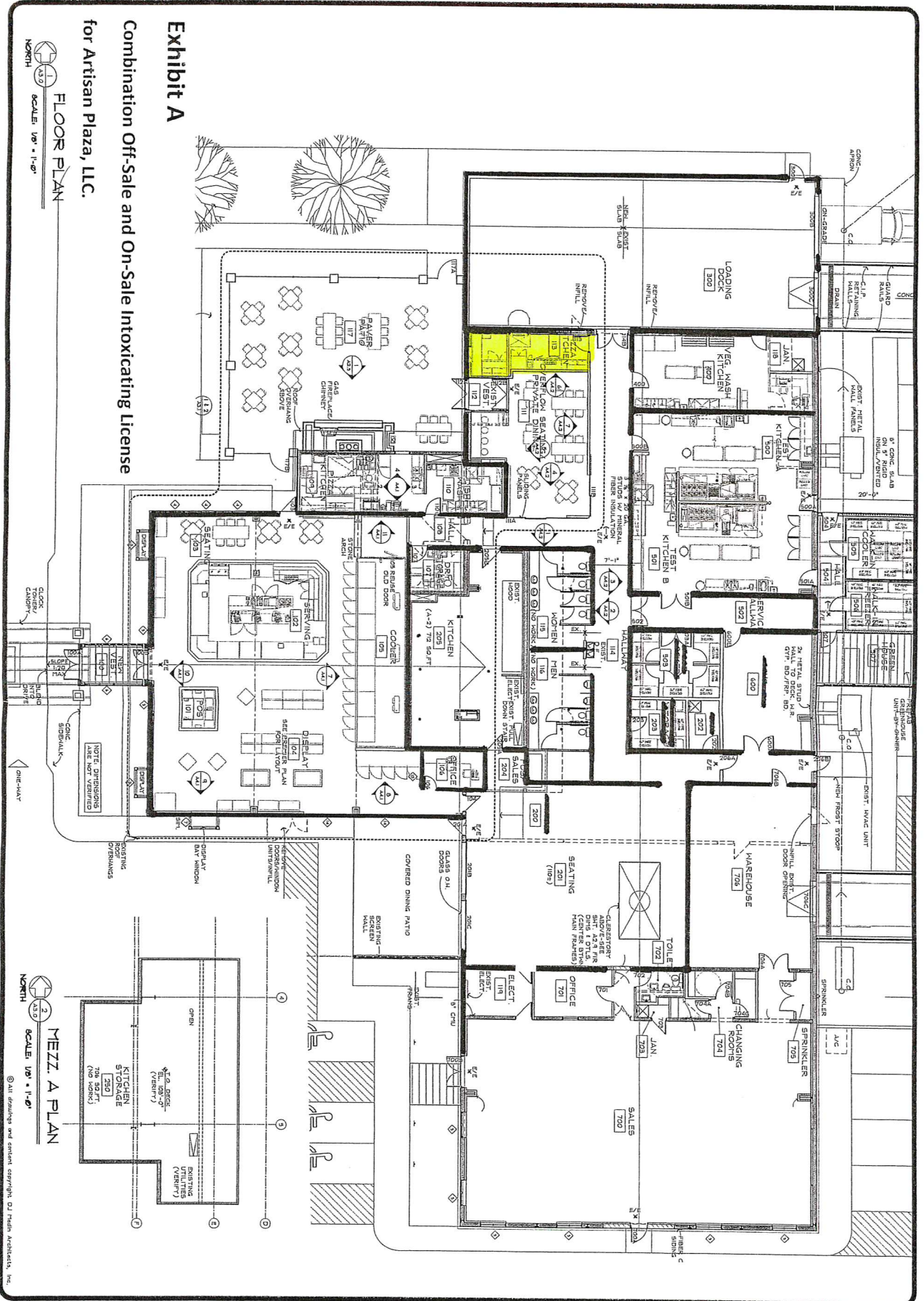


Exhibit A

**Combination Off-Sale and On-Sale Intoxicating License
for Artisan Plaza, LLC.**

FLOOR PLAN
SCALE: 1/8" = 1'-0"
NORTH

MEZZ. A PLAN
SCALE: 1/8" = 1'-0"
NORTH

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DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
REVISIONS	DATE

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and in good standing architect and that I am not under any suspension or restriction of my license (to be checked only if applicable).

[Signature]
DATE: Nov. 17, 2017

License No. 949
Date: Nov. 17, 2017

ARTISAN PLAZA
CANNON FALLS, MINNESOTA.
203 n.w. First Ave.
Ferdinand, MN 55027
507/334-2252

architects, inc.
M E D I A
D J N

A30
FLOOR PLAN