



**CITY OF SAINT PAUL**  
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DATE: March 18, 2019

TO: Comprehensive and Neighborhood Planning Committee

FROM: Michael Wade, City Planner (651-266-8703)

RE: Review and Recommendation Regarding Proposed Commercial Development District at 194 Cesar Chavez Street

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### **Background**

Commercial development districts are designated areas across the city that are outside of ward-specific liquor license limits. Section 17.07.1 of the City Charter defines commercial development districts. Section 17.07.2 includes restrictions on liquor licenses for commercial development districts. Section 409.20 of the Legislative Code describes the process of creating new or amending existing districts. Relevant portions of these sections are excerpted below.

Section 17.07.1. Commercial development districts; patrol limits.

1. A commercial development district in an area within the city as designated herein, or created by the council hereafter in accordance with this section. Six (6) commercial development districts are hereby created, whose names and defined boundaries are indicated on maps attached hereto as Exhibits 1 through 6, which are incorporated and adopted herein by reference. The council may by ordinance create new or additional commercial development districts, or amend the boundaries of those already created, only in accordance with the following procedures:
  - (a) The proposed commercial development district shall be submitted in writing, accompanied by a map setting forth its boundaries; and
  - (b) Reasonable public notice of the proposed commercial development district shall be given by the license inspector to residents and organizations in the ward or wards in which said district is to be located; and
  - (c) The council or a committee thereof shall hold a public hearing in the ward or wards in which said district is to be located; and
  - (d) After the foregoing steps, an ordinance designating the new commercial development district and defining its boundaries is adopted upon the affirmative vote of at least five (5) members of the council.
2. The council may by ordinance adopt additional procedural and substantive requirements for the creation or amendment of commercial development districts.
3. The entire land area in each council ward, which has not been made part of a commercial development district, is a separate liquor patrol limit.

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Section 17.07.2. Restrictions.

5. There shall be no limitation on the number of on-sale intoxicating liquor licenses which may be issued or renewed within, or transferred into, a commercial development district, except as set forth in paragraph (6) below. No restriction applicable to such licenses in liquor patrol limits in this section shall apply to such licenses in commercial development districts.
6. Notwithstanding the provisions of any law or this Charter allowing the issuance of on-sale intoxicating liquor license, not more than two hundred fifteen (215) such licenses shall be issued by the city. Priority shall be given, by ordinance, in the issuance of all such licenses first to applicants who purchase an existing business having an "on sale" license with the intent of operating said business at the same location for at least one year thereafter, and then to restaurants capable of seating and servicing meals to not less than one hundred (100) guests at one time and then to hotels having dining rooms capable of seating and serving meals to not less than fifty (50) guests at one time, and thereafter as the council may determine.

Section 409.20 of the Legislative Code:

- (a) Commercial development districts, as defined in section 17.07.1 of the City Charter, may be created or expanded by the filing in the office of the city clerk of a written petition therefor setting forth the boundaries of the expanded district, and containing the written consent of the owners of two-thirds of the several descriptions of real estate situated within the new or area of the expanded district, together with the written consent of the owners of two-thirds of the several descriptions of real estate situated within one hundred (100) feet of the new or expanded district, and after the affirmative vote in favor thereof by at least five (5) members of the city council.
- (b) The city council may waive the requirements for consent signatures if the city council shall determine that a hardship exists therefor, and in such case the council may, on its own, initiate the process of creating or expanding a commercial development district. In such case, the affirmative vote of at least five (5) members of the city council shall be required to create or expand any such district.
- (c) **In all such cases, the planning commission shall be consulted for advice concerning the proposals for consistency with the city's comprehensive plan and zoning ordinances, and the planning commission shall report in writing to the city council its findings and recommendations.**
- (d) Upon receipt of the report of the planning commission, the council's committee designated to hear license matters shall fix a date for public hearing to consider the petition or proposal to create or expand a commercial development district and afford an opportunity to all affected persons to be heard. The city clerk shall cause notice of the hearing to be published once in the official newspaper of the city, and mailed notice thereof shall be given by the department of safety and inspections to all owners of land within the new or area of the expanded district. Published notice and mailed notice shall be made at least twenty (20) days in advance of the public hearing.

In February 2019, a petition was submitted to the Department of Safety and Inspections to create a Commercial Development District for 194 Cesar Chavez Street to allow La Costa Sports Mexican Bar & Grill to expand alcohol sales past midnight to 2:00 a.m. This Commercial Development District is proposed to include all of 194 Cesar Chavez Street, and no other properties. (See attached map.) The Planning Commission is being consulted for advice concerning the proposal's consistency with the City's comprehensive plan and zoning ordinances, as per section 409.20 of the Legislative Code.

La Costa opened for business in the spring of 2017. Currently the bar and grill serves alcohol and food until midnight. By applying for a Commercial Development District, the restaurant hopes to accentuate its character as a Mexican sports bar and late-night destination among the District del Sol commercial corridor.

### **Findings**

Staff has reviewed the proposed commercial development district and made the following findings:

1. La Costa Mexican Sports Bar & Grill includes one building at 194 Cesar Chavez Street (see attached map).
2. The proposed Commercial Development District is confined to the site of La Costa Mexican Sports Bar and Grill.
3. The proposed Commercial Development District is consistent with the Saint Paul Comprehensive Plan. The property lies within a designated Mixed-Use Corridor, described in the Comprehensive Plan as including "commercial areas with goods and services for people who live and work among them." The District del Sol Plan Addendum to the Comprehensive Plan calls for the City to "support and retain the current business mix" (Strategy CV1) and to "continue to capitalize on neighborhood characteristics... to create a strong identity and brand for the District" (Strategy CV4). The District del Sol Plan also calls for the City to "concentrate businesses that provide goods and services to residents at the three commercial nodes", one of which is the intersection of George Street and Cesar Chavez Street. Establishing this Commercial Development District to allow La Costa to extend their alcohol sales will expand the variety of goods available to area residents and workers at an identified commercial node, as well as reinforce District del Sol's Latinx neighborhood brand and identity.
4. The proposed Commercial Development District is consistent with existing zoning. The property is zoned T2 traditional neighborhood, which permits bars and restaurants up to five thousand (5,000) and fifteen thousand (15,000) sq. ft. in area respectively, requiring conditional use permits for larger establishments.

### **Staff Recommendation**

Based on findings 1 through 5, staff recommends that the Planning Commission report to the City Council that the proposed Commercial Development District for La Costa Mexican Sports Bar & Grill is consistent with the Saint Paul Comprehensive Plan and Zoning Code, and recommends that the Planning Commission support the creation of the La Costa Mexican Sports Bar & Grill Commercial Development District.