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P. Hrngs. _____
Pgs. 3
Filed: 01-09-18

Sponsored by: Prater

COUNCIL BILL 2018- 003 RESOLUTION _____

RESOLUTION

1 GRANTING a new liquor license to sell liquor by the drink, including Sunday sales, to
2 Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine located at 311-313 South
3 Jefferson, Springfield, Missouri, such license to include an enclosed
4 sunroom and an outdoor patio.
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7 WHEREAS, Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine, located at 311-313
8 South Jefferson, has filed an application for a license to sell intoxicating liquor by the
9 drink at retail that includes sales on Sunday; and
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11 WHEREAS, pursuant to 10-37(a) of the Springfield City Code, no license shall be
12 granted for the sale of intoxicating liquor within 200 feet of any school, church, park, or
13 building regularly used as a place of worship unless the applicant shall first obtain the
14 consent in writing of the City Council; and
15

16 WHEREAS, Section 10-37(c) establishes an exception to the 200-foot distance
17 down to a distance of 100 feet for establishments within the Downtown Springfield
18 Community Improvement District (“Downtown CID”) if the Director of Finance reviews
19 certain criteria and determines a license shall have no adverse impacts on the
20 Downtown CID; and
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22 WHEREAS, Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine’s place of business
23 is located within the Downtown CID and within 100 feet of Missouri State University
24 property, thus the exception in Section 10-37(c) does not apply; and
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26 WHEREAS, City Council must determine whether it will consent to a liquor
27 license at this business location.
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29 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
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32 Section 1 – City Council grants Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine, a
33 license to sell intoxicating liquor by the drink at retail and on Sunday at its location at
34 311-313 South Jefferson, Springfield, Missouri, such license to include an enclosed
35 sunroom and an outdoor patio measuring 16 feet by 14 feet.

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Section 2 – This Resolution shall be in effect immediately upon adoption.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form: Rhonda Lewsader, Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL 2018 -003

FILED: 01-09-18

ORIGINATING DEPARTMENT: Law

PURPOSE: To grant a new liquor license to sell liquor by the drink, including Sunday sales, to Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine located at 311-313 South Jefferson, Springfield, Missouri, such license to include an enclosed sunroom and an outdoor patio.

BACKGROUND INFORMATION: Applicant, Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine, applied for a license to sell liquor by the drink, including Sunday sales, at its location at 311-313 South Jefferson, such license to include an enclosed sunroom and an outdoor patio measuring 16 feet by 14 feet. The applicant's business is located within the Downtown Springfield Community Improvement District ("Downtown CID") and is located within 100 feet of property owned by Missouri State University ("MSU"). MSU has been notified of applicant's proposed sale of alcohol and did not submit an objection to City staff. City Council approved a liquor license at this location on September 6, 2016, for a different business owner.

Pursuant to Section 10-37(a) of the Springfield City Code, no license shall be granted for the sale of intoxicating liquor within 200 feet of any church, school, park, or building regularly used as a place of worship unless the applicant shall first obtain the consent in writing of City Council. Section 10-37(c) establishes an exception to the 200-foot distance down to a distance of 100 feet for establishments within the Downtown CID if the Director of Finance reviews certain criteria and determines a license will not adversely impact the Downtown CID. In this case, the applicant's property is within 100 feet of a school, so the Director of Finance is not authorized by the exception in Section 10-37(c) to issue the license. As a result, City Council must determine whether it will consent to a liquor license at this business location.

Submitted by:

Approved by:



Rhonda Lewsader
Assistant City Attorney



Greg Burris, City Manager