

PURCHASING AND LICENSING COMMITTEE

08-0384R

RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON  
SALE INTOXICATING LIQUOR LICENSE OF LUCKY BREAK INC.  
(HORSESHOE BILLIARDS), 2415 WEST SUPERIOR STREET.

CITY PROPOSAL:

BE IT RESOLVED, that the city council of the city of Duluth hereby approves the permanent expansion of the designated serving area of the following on sale intoxicating liquor license for the period ending August 31, 2008, subject to departmental approvals:

Lucky Break, Inc. (Horseshoe Billiards), 2415 West Superior Street.

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CLERK JJC:mao 6/5/2008

Alcohol, gambling and tobacco commission discussion: 11/7/2007: Jerry Fredrickson was present on behalf of the application. Mr. Fredrickson said they have constructed a deck next to their building to allow customers to smoke and drink outside. He continued saying that Officer Vang had concerns that the structure was attached to the building which would then make it an indoor structure, so they have moved it an inch away from the outside wall to fall short of the 50% rule. Mr. Fredrickson explained that the structure is enclosed with plastic on 2 sides to help protect the customers from bad weather, and where the opening is on the deck it leads to a door into the bar where there is an employee stationed at all times who will monitor the people going out to the deck. Officer Vang reviewed that the enclosed deck has to be less than 50% enclosed according to State law, and Mr. Fredrickson replied that moving it away from the outside wall brings the percentage to less than 50% and is in compliance with city code after checking with Building Safety. The clerk stated that this outside area would have to be approved by the Building Safety's office, the fire department, and also would check with Ms. Lutterman to make sure the deck is in compliance with city code. There being no further discussion, Mr. Hanson moved that the application of LUCKY BREAK INC, (HORSESHOE BILLIARDS), 2415 WEST SUPERIOR STREET, FOR PERMANENT EXPANSION OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR THE PERIOD ENDING AUGUST 31, 2008, BE APPROVED AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Karki seconded the motion and it was unanimously approved.