

Greetings ALRC alders and staff-

Regarding the application of Buraka for an alcohol license.

I will be holding a n'hood meeting Tuesday at 5:30 with the assistance of MNA preservation and development/P&D chair Jesse Pycha-Holst to review the application that is on your agenda Wednesday.

Matt Tucker offered to attend the meeting until we both leave for the common council meeting. Mark you are invited too if you are able to attend, it will be at 5:30 in the conference room of Solidarity Realty 1148 Willy.

There are several issues with this license but let me start first with a positive.

The neighborhood feedback on the MNA list serve and at the MNA P&D meeting last week on June 9 has been very positive about the relocation of Buraka from State St to Willy St. There is a lot of excitement about the restaurant which many have raved about and welcome to a long time restaurateur to Willy St.

As you can see from Buraka's app, the owners Markos and Maron Regassa are proposing alcohol ratios at 30% which gives neighbors a lot of comfort that this space will not become a bar/tavern which would not be a welcome addition to Willy St. My understanding is that the applicant faces a deadline of approving the license by June 30 to avoid paying \$10K for a new license. Jolly Bob's closed earlier this year and Buraka wants to get a license approved before the window expires for renewing the license at an existing establishment. I support that goal.

At the MNA P&D meeting, there was a general sentiment of support for issuing a license to Markos and Maron Regassa next week and for the addition of 12 person capacity for outdoor seating facing Willy St. The attendees at P&D were also generally supportive of letting the Willy St outdoor seating go until 11p. I support this as well.

But there are unresolved issues with the rear outdoor seating which includes a proposal by the applicant for a new deck that I hope you can help us navigate. The question is whether to permit some TBD capacity for the rear patio with close at 10p or require a change of licensed premises app to be submitted at a future date.

Jolly Bobs had permission to serve alcohol in the existing back yard patio. The patio has been licensed since the early 1980s when the Willy Bear opened. Recently MNA adopted a new policy about expectations for licensed establishments and particular attention has been given to the impacts of outdoor seating/alcohol service in the rear of buildings that abut residential properties.

While there have been issues over the years with Jolly Bobs, at the P&D meeting, given the decades long existing condition permitting the rear patio and the condition that Jolly Bob's close the patio at 10p, there was neighborhood support for the general concept of back yard seating for Buraka with 10p close. More conditions may come from the meeting Tuesday and details need to be resolved regarding the capacity and whether the proposed deck should be included. The applicant initially expressed interest in staying open to 2a but seemed very willing to reconsider and pull back hours for outdoor service to address neighborhood concerns.

The applicant's architect Jim Vincent has submitted plans to construct a deck 5' above grade to be attached to the rear of the building. They propose interior improvements that push out the back of the building to accommodate new bathrooms and kitchen improvements, the deck was added to that. They request to add 24 seats to the deck.

The immediate neighbors who attended the P&D meeting had questions about noise and screening from this elevated deck, they did not support or oppose but wanted more conversation that hopefully happens on Tuesday at the neighborhood meeting.

The applicant did not apply for outdoor alcohol service in the existing at grade back patio but during the P&D meeting, they indicated they wanted to be able to serve there. I don't think they realized they needed to have the patio covered by the licensed premises when they applied because of incorrect info the architect had about the back area's ability to be grandfathered in to the existing conditional use. Their application does not show a site plan that shows the at grade patio or any tables.

I've attached the plan review letter which describes the building capacity at 105. "The total occupant load for the business is 105 persons. Of these, 74 are indoor, 12 are on the front patio, and 19 are on the back deck."

The applicant is applying for 119 and stated at the meeting they expect the indoor capacity to be 76.

At the P&D meeting, the architect indicated that they want 6 tables for 4 (24) on the deck and 12 tables for 4 (48) on the patio for a total capacity of 72 which is almost as much as they propose for inside. The outdoor capacity exceeds the indoor capacity if you add the proposed outdoor capacity of 3 tables of 4 (12) in the front of the building.

There is a huge disconnect between what has been applied for and what the applicant has expressed interest in at our recent meeting. Neighbors noted that the good weather capacity is double what would exist in cold weather. At this point, I'm not sure whether the applicant understands they are asking for. I will clarify at the meeting next week.

Matt had his staff review the approvals for this site and finds evidence that a 40 person capacity was permitted in the back patio since the days of the Willy Bear. Matt also said the applicant could go forward without a minor (or more likely major) alt for the deck if it were not part of the application. I think he said the outdoor patio has conditional use approval but I want more discussion about total outdoor capacity at the n'hood meeting and at ALRC. Matt can better describe the issues with the deck approval and the conditional use status but bottom line is that I was not willing to okay the deck until I heard from neighbors.

Most people who have engaged in this discussion want this license to move forward on Wednesday, the question of capacity for the back patio and outside capacity in general and whether there should be a deck at all is unresolved. I will update you after the Tuesday meeting. I expect MNA Board to send in recommendations as well

I appreciate your attention to my long email and welcome your advice.

Marsha