

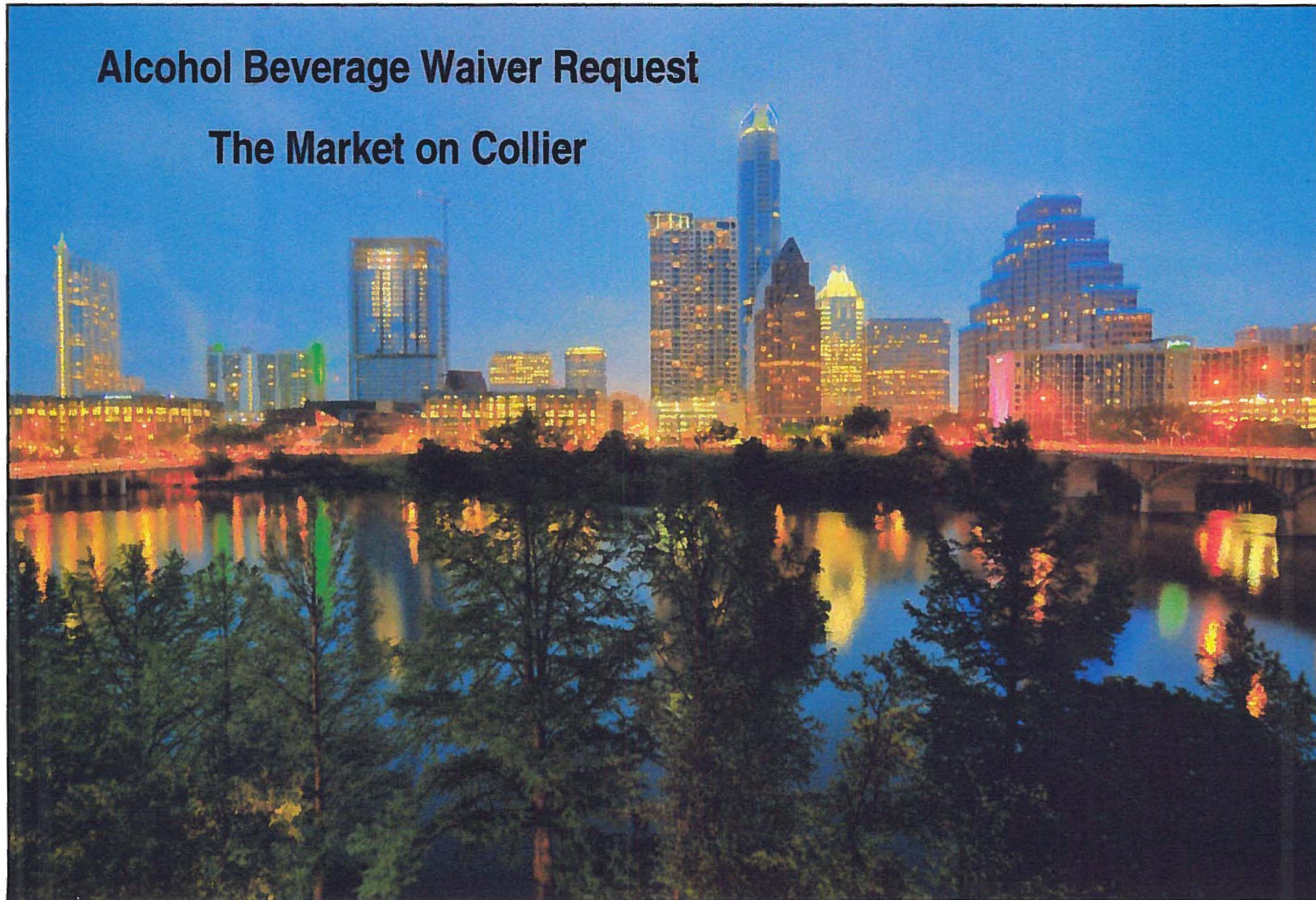


Planning and Development Review Department

Late Backup

Alcohol Beverage Waiver Request

The Market on Collier



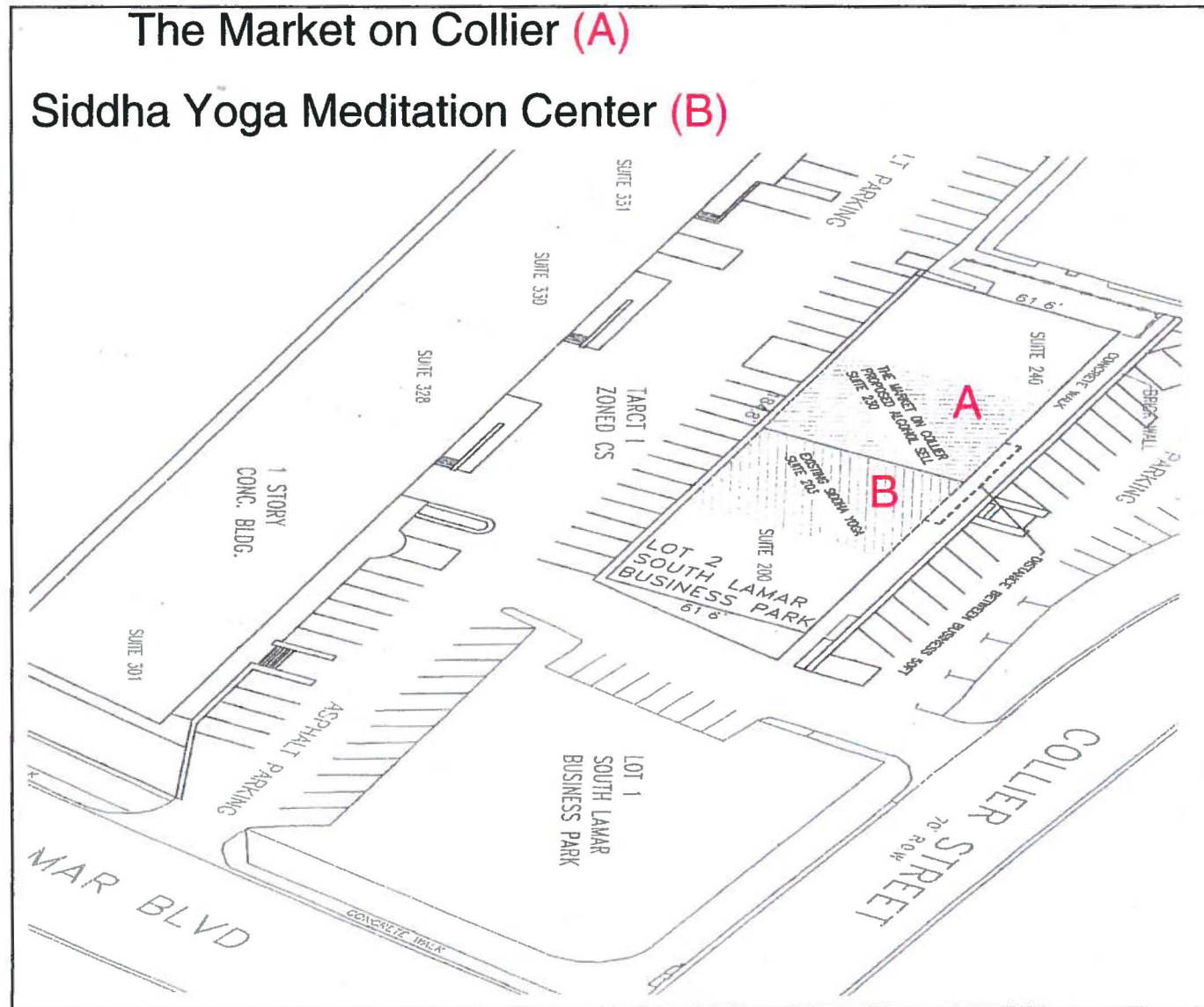


Applicant Request

- The Market on Collier seeks to sell alcoholic beverages at 1700 S Lamar Blvd., Suite 230, which adjoins Siddha Yoga Meditation Center, Suite 203. The measured door to door distance is 50 feet.
- The owner requests a waiver of the prohibition under Section 4-9-5 (A).

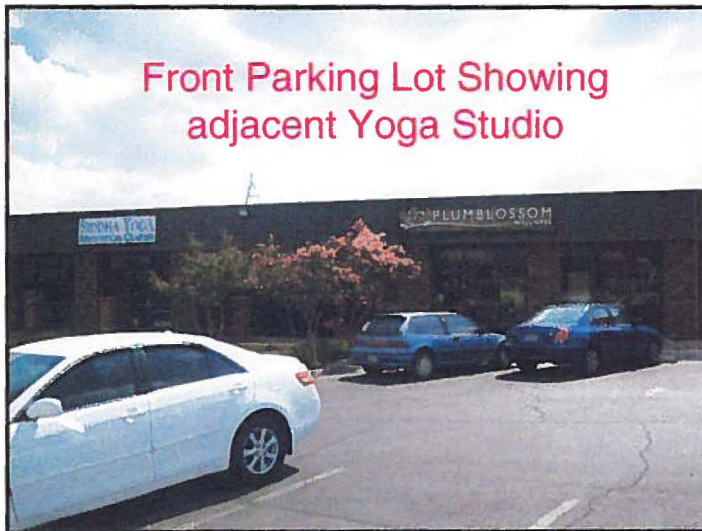
Site Location

The Market on Collier adjoins Siddha Yoga Meditation Center. Door to door measurement is 50 feet



Site Photos

View of the proposed location of The Market on Collier,
adjacent to Siggham Yoga Meditation Center





LDC §4-9-5 Waiver Requirements

§4-9-5(A) states: City Council may consider the waiver of the 300 foot distance requirement if it is determined that the enforcement in a particular instance:

- 1) is not in the best interest of the public;
- 2) constitutes waste or inefficient use of land or other resources;
- 3) creates undue hardship on the applicant;
- 4) does not serve its intended purpose;
- 5) is not effective or necessary; or
- 6) for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.”



LDC §4-9-5 Waiver Requirements (cont.)

- **Under §4-9-5(B), the City Council may consider the written consent to a waiver from a church located within 300 feet from the applicant's proposed place of business to be sufficient justification for waiver approval**



Staff Recommendation

- Based upon Subsection A (3) *creates undue hardship on the applicant*, staff recommends approval of the waiver.