

Drafted by
Sponsored by/Referred by
Introduced on
Advertised on

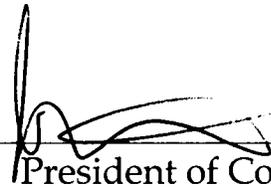
City Clerk/City Solicitor
City Clerk/City Solicitor
N/A
N/A

RESOLUTION NO. 76 2016

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

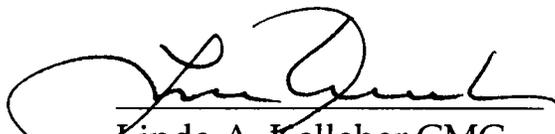
APPROVING the transfer of the restaurant liquor license from Morgantown into the City of Reading as per the application submitted by Cubano Reading LLC, aka Alejandro Ramirez for 25 North 2nd Street, Suite 3, Reading PA, as attached.

Adopted by Council Sept 26, 2016



President of Council

Attest:



Linda A. Kelleher CMC
City Clerk

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Resolution passed by the Council of the City of Reading, on the 26 day of Sept, A. D. 2016. Witness my hand and seal of the said City this 26 day of Sept, A. D. 2016.



CITY CLERK

IN RE: APPLICATION OF : BEFORE THE CITY COUNCIL
CUBANO READING LLC :
FOR THE TRANSFER OF A : OF THE CITY OF READING,
LIQUOR LICENSE FROM :
MORGANTOWN TO READING : PENNSYLVANIA
FOR 25 N 2nd ST., SUITE 3 :
READING, BERKS COUNTY, PA :

**DECISION OF THE CITY OF READING
CITY COUNCIL ON A CONDITIONAL USE APPLICATION**

AND NOW, this 26th day of September, 2016, after a hearing held on September 6, 2016, upon the application of Cubano Reading LLC, aka Alejandro Ramirez, 130 Scotland Dr., Reading, PA 19606 (applicant), notice of such hearing having been first sent, posted and advertised in accordance with the provisions of 47 P.S. §4-461(b.3), the City of Reading City Council (hereinafter "Council") renders the following decision:

FINDINGS OF FACT

City Council finds the following facts:

1. The applicant is Cubano Reading LLC, aka Alejandro Ramirez, 130 Scotland Dr., Reading PA 19606 (hereinafter Applicant).
2. Applicant is the tenant of the commercial space at 25 N 2nd Street, Suite 3, Reading PA (hereinafter Subject Property), at the time of application and at the time of the hearing.
3. The Subject Property is located in the CC (Commercial Core) zoning district as that term and district is defined by the City of Reading Zoning Ordinance, as amended, and the terms of 47 P.S. §4-461(b.3).
4. Applicant is seeking permission to transfer a liquor license into the City of Reading from the Clubhouse Pizza & Pub located in Morgantown, PA.
5. At the hearing, the Applicant's attorney, Ted Zeller, Esq., testified for the applicant. In summary he stated:
 - Mr. Ramirez is the sole proprietor of Cubano Reading LLC and he plans to operate a restaurant at 25 N 2nd Street, Suite 3, which is a commercial space on the ground floor of the 2nd and Washington Garage, owned by the Parking Authority. He described the other restaurants operated by Mr. Ramirez in the Berks and Lehigh areas. He stated that Mr. Ramirez has liquor licenses at all his restaurants and that he has an excellent record with the PaLCB.

- The restaurant will be located next to Panevino's and offer a lunch and dinner menu, with a 12 am closing time. There will be occasional live music at the restaurant. The restaurant will have 90 seats in the interior and could have an additional 30 seats on the outdoor patio that will be available seasonally. Fifteen (15) employees will be required.
 - Take-out business is estimated at 5% of the total business generated and that alcohol will complement the food offered.
 - Mr. Ramirez will comply with all the City regulations and requirements to operate a restaurant with a liquor license.
6. When Mr. Zeller was questioned about the effort made to purchase one of the existing six (6) restaurant liquor licenses that are in safekeeping, he stated the following:
- Eberhart's (900 Schuylkill Ave) – contact party in New York, left two (2) telephone messages
 - Bowacon (Sam's Goosehouse) – the phone number is not accepting incoming calls
 - El Toluca (500 N 9th St) – license under agreement
 - Joebrianna (Upland Café) – accepted a higher offer
 - Quisqueya Restaurant (353 N 4th St) – contact party in Harrisburg, left voice message
 - Liberty Retro Café (Avenue Bar and Grill) – establishment is reopening
7. There was no testimony in opposition to the application for the transfer of the license.

DISCUSSION

The Applicant is seeking permission to transfer a liquor license into the City of Reading from The Clubhouse Pizza & Pub in Morgantown. The license is a restaurant license. The license will be used at 25 N 2nd St, Suite 3, Reading PA owned by the Reading Parking Garage in a commercial/retail space.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Subject Property at 25 North 2nd Street, Suite 3 is located in the CC (Commercial Core) Zoning District.
2. Hearing was held on September 6, 2016.
3. Applicant requests permission to transfer a liquor license into the City of Reading. The license is a restaurant license from Morgantown.
4. City of Reading City Council is permitted to approve or deny the request to transfer a liquor license into Reading as per 47 P.S. §4-461(b.3) based on the affect the transfer will have on the welfare, health, peace and morals of the municipality or its residents.
5. The PaLCB quota for the City of Reading is 29 licenses. There are currently 61 retail licenses active within the City; of those, there are a total of 6 restaurant licenses in safekeeping. City Council must

make a decision to approve or deny the transfer within 45 days after the request to transfer is made.

6. The Applicant agreed to comply with the City's regulations to run a restaurant with a liquor license at this establishment.
7. The Applicant is not seeking relief from any other City requirements.
8. There was no testimony at the hearing in opposition to the application for the license at this location.

DECISION

After reviewing the Applicant's request in detail, City Council enters the following decision:

As per 47 P.S. §4-461(b.3) , City Council has the authority to approve or deny the transfer of a liquor license into the City of Reading based on the affect the transfer will have on the welfare, health, peace and morals of the municipality or its residents. The application of Cubano Reading LLC, aka Alejandro Ramirez, 130 Scotland Drive, Reading PA 19606, to transfer a liquor license The Clubhouse Pizza & Pub in Morgantown Robesonia into the City of Reading is hereby APPROVED.

This is the decision of the City of Reading City Council by a vote of 7 to 0.