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June 2, 2011

Minneapolis City Council
350 S 5th Street, Room 307
City Hall
Minneapolis, MN 55415

Dear Council Members:

Please note that this follows our first related letter, dated February 23, 2011. We know that the City of Minneapolis recognizes the importance of outdoor dining to the prosperity and vitality of its commercial districts. The purposes of our outdoor-dining regulations should be to allow for and to support this desirable activity while controlling potentially negative side effects. We believe that current ordinances when enforced do that. Additional restrictions and approvals needed for an outdoor dining facility will make the process for approval of these amenities seem more onerous. If the requirement of licensing maximum capacity impacts SAC charges, you are not only going to impede future outdoor dining but we will lose many that currently add livability to our communities during the outdoor dining season.

In fact, many cities are adopting ordinances which are designed to encourage outdoor restaurant seating by providing a more efficient and convenient process for obtaining approval for outdoor seating. They are trying to provide a more streamlined and efficient method of examining and permitting outdoor seating, and doing so at a reduced cost to the restaurant operator. We have also found cities that have recently reduced the distance required separating outdoor dining from residential areas from 400 ft. to now 150 ft.

We further oppose ordinances that set different standards for downtown vs. our commercial corridors. A commercial corridor is not a small node within a residential community. In most cases, the commercial corridor is the boundary of the community and our entertainment venues serve these neighborhoods just as downtown serves its residents. In that same vein, we find that many cities limit sound after 11pm, but have found few with the newly recommended 10pm limits. Many include later sound restrictions on Friday and Saturday nights. The additional restrictive signage should also not be required if each business and regulatory services are enforcing current regulations. The additional signage is very unwelcoming to the new customers that these businesses are trying to draw.

Most cities do however refer to "buffering" as it relates to sound emanating from the outside dining areas and this should be included in the Minneapolis ordinance.

While we realize these changes are directed at an area of Lake Street that has experienced substantial revitalization, it will impact all of Lake Street and Minneapolis' other commercial corridors. Again, we would like to emphasize the fact that many cities have relaxed outdoor dining regulations in areas in need of revitalization because outdoor dining favorably, not unfavorably, contributes to the quality of life in these areas.

Sincerely,

Joyce R. Wisdom, Executive Director

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