



Legislation Text

File #: Res. 2017-044, **Version:** 1

City Council Meeting Date: June 6, 2017

To: Mayor and City Council
City Administrator

From: Deb Little, City Clerk

Consider Approval of Amended Currency Exchange License for Servicios Latinos Menas LLC at 513 First Street W.

Action Requested:

The Northfield City Council consider approval of the attached resolution Approving an amendment to a Currency Exchange License for Servicios Latinos Menas LLC to move from 875 Highway 3 N. to 513 First Street W.

Summary Report:

The amended currency exchange application was submitted to the Department of Commerce notifying them that Servicios Latinos Menas LLC plans to move its currency exchange operations from 875 Highway 3 N. to 513 First Street W. Servicios Latinos Menas has been operating at its current name and location at 875 Highway 3 N. since September 2008. Prior to that, the business operated as Mary Mena dba Servicios Latinos Mena at 507 Water Street S. #3. Servicios Latinos Menas is a family owned business that provides check cashing and money wiring. They note they do not have any employees.

Currency exchange licenses are regulated and issued by the Department of Commerce. The Department of Commerce is responsible for ensuring that the applications meet the requirements in State law. A complete copy of Minnesota Statute Chapter 53A related to Currency Exchanges is attached. Minnesota Statute 53A.04 (a) regulates approval or denial of an application as follows:

(a) Within 30 days after the receipt of a complete application, the commissioner shall deny the application or submit the application to the governing body of the local unit of government in which the applicant is located or is proposing to be located. The commissioner may not approve the application without the concurrence of the governing body. The governing body shall give published notice of its intention to consider the issue and shall solicit testimony from interested persons, including those in the community in which the applicant is located or is proposing to be located. If the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. The commissioner must approve or disapprove the application within 30 days from receiving the decision of the governing body. The governing body shall have the sole responsibility for its decision. The state shall have no responsibility for that decision.

A public hearing is scheduled to precede this action item.

Community Development staff (Community Planning & Development Director Heineman, Economic

Development Coordinator Carlson, City Planner Tempel) met the business owner to determine if the business will be limited to currency exchange or if the related retail grocery business they are currently operating is also part of the business plan. According to the applicant, they will be closing down the grocery operation and moving the check cashing / currency exchange business to the residential location at 513 First Street W. The home business will be limited to check cashing / currency exchange. Staff noted that check cashing and currency exchange is a permitted home-based business as long as it meets the standards for specific accessory uses found in section 2.10.4(E) of the Land Development Code. After reviewing these standards with the applicant, staff has determined that the proposed home business will meet all requirements from a zoning standpoint. One of the LDC requirements for home based businesses is that the business draws no more than eight vehicle trips per day from clients, customers, visitors, and/or service visits to the residence and on-site presence is limited to one client or family between the hours of 9:00 am and 8:00 pm. The applicant did not have a problem with this requirement, and all other home business requirements will be met.

The Police Department reports no concerns related to this business and/or the applicant that should affect the issuance of the license amendment.

There is one other currency exchange business in Northfield. This business is located 0.77 miles from the proposed location for this amended license. There is a distance limitation in State law that states: “No license may be issued or renewed under this chapter if the place of business to be operated under the license is located or proposed to be located within one-half mile of another licensed currency exchange. The distance limitation imposed by this subdivision is measured by a straight line from the closest points of the closest structures involved.”

Staff recommends approval of the attached resolution.

Alternative Options:

N/A

Financial Impacts:

None. License fees are paid to the Department of Commerce.

Tentative Timelines:

The City has 60 days to take action on the application. Per Minnesota Statute 53A.04 (a), if the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. The City received the notice from the Department of Commerce on May 12, 2017.