

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT**

FILE: F13208
WARD: 5
NEIGHBORHOOD: North Loop

APPLICANT: Fulton, LLC

BUSINESS NAME: Fulton Beer

ADDRESS: 414 6th Avenue North

LICENSE APPLICATION REQUESTED: On Sale Liquor Class C-1, Brewer Taproom

DATE OF APPLICATION: January 9, 2012

INSPECTOR: Phil Schliesman

BASIC LICENSE INFORMATION

7 or 5 acre requirement: 7 acre requirement met

Zoning District: B4S-1, DP

Off- Street Parking: 0 spaces required.

Residential district: No churches or schools within 300 feet

Hours of operation proposed for the Taproom: Monday to Saturday: 11:00 am to Midnight

Lease shows exclusive use of premises by applicant: Yes

Responsible person within 75 miles of MPLS City Hall: James Diley

Fire occupancy: 72 Number of seats inside: 60 Number of seats outside: no outside area

Service Availability Charge(SAC): Paid under building permit BIRE3076060

Public Hearing requirement: Yes

HISTORY OF LOCATION

In October 2011, Fulton LLC applied and was granted an off sale malt liquor license to sell “growlers” in their brewery. Business operation began in November 2011. The applicant is now applying for a Tap Room license. In the spring of 2011, the Minnesota State Legislature passed a new statute that allowed breweries licensed under Minnesota State Statute 340A.301, Subd. 6(c), (i), or (j) to sell alcoholic beverages on sale. In August 2011, the Minneapolis City Council followed suit to allow on sale liquor sales in breweries licensed under Minnesota State Statute 340A.301, Subd. 6(c), (i), or (j). Fulton, LLC is the second brewery to apply for the on sale brewer tap room license in Minneapolis.

There have been no complaints concerning the off sale malt liquor license issued to Fulton, LLC since it was granted.

APPLICANT

The applicant is Fulton, LLC, a Minnesota company registered with the State of Minnesota Secretary of States office since 06/29/2009 (Charter No. 3396479-2) and has held a micro-brewery State of Minnesota license at 414 6th Avenue North, since 9/16/2011. The following are listed as company officers:

<u>Name</u>	<u>Title</u>	<u>Shares Held</u>
Ryan Petz	President	20,000
James Diley	Vice President	20,000
Peter Grande	Treasurer	20,000
Brian Hoffman	Secretary	20,000

PREMISES

The entire building is 5,250 square feet. The entire business shall be located on the first floor with 1,152 net square feet. The on sale alcohol area will be located at the front of the building, directly adjacent to the front door and brewing room. The off sale shall remain at the front of the business with the sampling area. The on-sale area has an occupant load of 72. There will be seating for 60 people. There will be a 3' x 17' bar with stool seating for 8. There will also be 2 tables with 4 chairs each; 1 table with 2 chairs; 6 booths with seating for 4 each; 1 long table with seating for 16; and 5 high top tables with 2 chairs each. There will be no outdoor area at this time.

BUSINESS PLAN/OPERATIONS

The license applicant operates a micro brewery with brewery tours, product sampling and the retail sale of growlers. The business will be adding an on sale service area with a bar adjacent to the production area. The applicant will also offer occasional live music. The applicant has applied for a C-1 entertainment license which allows up to 5 or fewer musicians. The zoning district supports this level of entertainment.

Fulton, LLC is providing server training for all staff within 60 days of hire and are required to receive annual training updates. They will conduct internal audits and have a written alcohol policy for their employees to follow. A security plan was submitted for review by the 1st Precinct Police department. The plan is on file with this application.

Fulton, LLC currently has hours of operation on Friday from 3 pm to 7 pm and Saturdays from Noon to 4:00 p.m. With this application, they are requesting to expand their hours to Monday through Saturday 11:00 am to Midnight. As stated in the applicants business plan, the sale of growlers will not take place on Sundays in conformance to the required hours for off sale liquor under Minneapolis ordinance.

The applicant does not plan to offer food service. Food service is not required in the brewer taproom ordinance. The applicant may offer food service by applying for and receiving the necessary approval, license or permit for the applicant's intended use with the City of Minneapolis.

PUBLIC HEARING SUMMARY

This application is subject to a public hearing requirement where notice is given to all property owners and residents located within 300 feet of the establishment. The public hearing for this application will be held on Monday, January 30, 2012 at 1:30 p.m. during the regular Regulatory, Energy and Environment Committee Meeting in Room 317, Minneapolis City Hall. 7 Notices of Public Hearing were mailed on January 17th, 2012.

Minneapolis Police Licensing reviewed this report all supporting documents and recommended approval on January 11th, 2012.