

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

LICENSE NUMBER: L206-50193 **POLICE FILE NUMBER:** 13289

DATE OF APPLICATION: June 25, 2012

INSPECTOR: Greg Buenning

APPLICANT/LEGAL ENTITY: GMHG, LLC

DBA/TRADE NAME: Nightingale

COMPLETE ADDRESS: 2551 Lyndale Avenue South

LICENSE REQUESTED: Class "E" On-Sale Liquor with Sunday Sales

CURRENT LICENSE: None

RESPONSIBLE PERSON WITHIN 75 MILES OF MINNEAPOLIS CITY HALL: Yes

PUBLIC HEARING REQUIREMENTS: A public hearing is required

LICENSE CONDITIONS: None

NEIGHBORHOOD/WARD: Whittier Neighborhood/Ward Six

ZONING: C1

7 ACRE REQUIREMENT: Met

OFF-STREET PARKING: This location has non-conforming rights and off-street parking spaces are not required

CHURCHES OR SCHOOLS WITHIN 300 FEET OF THE PROPOSED PREMISES: No

SEATING: INTERIOR: 69

FIRE OCCUPANCY: 78

FOOD SERVICE REQUIREMENT: 60/40

HOURS OF OPERATION PROPOSED: INSIDE: Mon – Fri 4:00 p.m. to 2:00 a.m.
Sat – Sun 10:00 a.m. to 2:00 a.m.

METROPOLITAN COUNCIL SERVICE AVAILABILITY CHARGES: \$16,555.00/paid

HISTORY OF LOCATION

Prior to this application 2551 Lyndale Avenue South had been used as a grocery store since 1992.

APPLICANT

The applicant is GMHG, LLC, a Minnesota corporation formed on February 15, 2012, under Chapter 322B (File Number 470310800025). The applicant has provided documentation showing adequate, legal, and traceable funding for this venture. They have the required restriction on the transfer of shares and have the following shareholders and officers:

<u>Name</u>	<u>Title</u>	<u>Shares</u>
Carrie E. McCabe-Johnston	Owner/Chief Manager	25%
Jasha D. Johnston	Owner/President/Manager	25%
Nicholan J. Walton	Owner/Treasurer	25%
Daniel D. Operpriller	Owner/Secretary	25%

MANAGER

Jasha Johnston will be the Manager of Nightingale. He has tended bar at Mortimer's for the last 14 years. He brings his knowledge from that experience to Nightingale. He also has taken on several managerial duties while employed at Mortimer's. Part of those duties involved daily cash, ordering inventory, and payroll. He has also managed employees both in the hiring process and the dismissal, training and scheduling. He has handled conflict resolution and security and has been able to handle duties in a non-confrontational manner.

POLICE REVIEW

Police Licensing and this Inspector have reviewed the expenses and source of funds reported in this application. The applicant has provided documentation showing adequate legal and traceable funding for this venture and has passed the criminal background check. The Fifth Precinct of the Minneapolis Police Department has discussed security issues with the applicant and how to maintain a safe and clean establishment.

PREMISES

The lease shows exclusive use of premises by applicant. The licensed premises will operate on two floors of the building. The premises occupy approximately 2,137 square feet on the two floors. There is seating area on the first floor will consist of 625 square feet and seating for 60 people at tables and chairs. The bar will seat nine people. They will not have any outdoor seating.

BUSINESS/PLAN/OPERATIONS

Nightingale ownership has indicated that they will be a neighborhood restaurant. Their business plan states that they will cater to a slightly more upscale clientele, but will have a comfortable environment. Their food menu will consist of small plates that can serve singly for patrons or in multiples to comprise a meal. Their selection of protein and vegetables will be of a high quality, using local and organic selections when available. They expect that customers will return for the menu offered, but they also feel they will

return for the hospitality, and sincere staff. The ownership will ensure that alcohol service training will be done prior to 30 days of hire. They indicate that Minnesota Municipal Beverage Association will be their training partner. As part of the training, staff will check for proper identification of anyone appearing to be 35 years and younger. If any staff member violates this policy they will be terminated. The establishment must operate as a restaurant subject to the 60/40 ratio of food to alcohol sales. No more than 40% of sales may be from alcohol. The hours of operation for the establishment will be 4:00 p.m. to 2:00 a.m. Monday through Friday, and 10:00 a.m. to 2:00 a.m. on Saturday and Sunday.

Their security plan indicates that unruly behavior will not be tolerated. They indicate that they will try to diffuse any issues and if they cannot, the police will be called. If a patron is asked to leave for any bad behavior the business will post the person's name and staff will not permit that person on the premises. A last call will be issued so that patrons will be finished with their drinks by 2:00 a.m. They will provide frequent interior and exterior patrol to prevent loitering and other issues of concern.

PUBLIC HEARING SUMMARY

A public hearing is required for this application. --- public hearing notices were mailed out to residents and property owners within 600 feet of the premises and e-mailed to the Whittier Neighborhood Association, Lyndale Association, and the Lowry Hill East Neighborhood Association on July --, 2012. Business Licenses received ----responses, all of which were in favor of the license being approved. The public hearing was held on August 6, 2012, at Minneapolis City Council at 1:30 p.m. – people attended the public hearing.

RECOMMENDATIONS

The Whittier Neighborhood Association has met with the applicant and has recommended them for approval.

The Licenses and Consumer Services Division make the following recommendation for the application for Nightingale. The license application for a Class "E" On sale Liquor with Sunday Sales license is recommended for approval.