

LICENSES AND CONSUMER SERVICES

LICENSE INSPECTOR'S REPORT

**LICENSE NUMBER:** L243-50017      **POLICE FILE NUMBER:** 13325

**DATE OF APPLICATION:** September 13, 2012

**INSPECTOR:** Leanne Selander

**APPLICANT/LEGAL ENTITY:** Lucky Dragon Riverside Restaurant, Inc.

**DBA/TRADE NAME:** Lucky Dragon Restaurant

**ADDRESS:** 1827 Riverside Avenue Minneapolis MN 55454

**LICENSE REQUESTED:** On-Sale Wine with Strong Beer, Class B

**CURRENT LICENSE:** On-Sale Wine with Strong Beer, Class E

**NEIGHBORHOOD/WARD:** Cedar Riverside/2

**ZONING:** C3A. The Office of the Zoning Administrator has certified that the premises is zoned C3A, a proper classification for the intended use.

**7 ACRE REQUIREMENT:** Met

**OFF-STREET PARKING:** The Office of the Zoning Administrator has determined that 45 spaces are required to be provided on site. This requirement has been met through shared parking agreements.

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

**FOOD TO ALCOHOL SERVICE REQUIREMENT:** 60/40

**HOURS OF OPERATION:** Restaurant hours will continue to be 11:00 a.m. to 10:00 p.m., Monday through Saturday, and closed on Sundays. Special events will generally take place on Saturdays, and occasionally on Fridays and Sundays. Per their business plan, special events generally end at midnight, but may, on occasion, last until 1:00 a.m.

**ENTERTAINMENT CLASS:** A Class B liquor license permits live music and singing without limitation to the number of musicians or singers, or the type of amplification. Dancing and singing by patrons of the establishment and the use of the services of a disc jockey are permitted.

**UPGRADE OF ENTERTAINMENT:** Lucky Dragon has operated at this location under the current ownership since 1999. Their current Class E license does not allow live entertainment, except by temporary permits. Lucky Dragon is requesting to upgrade their license to a Class B which will allow them to offer live music, DJ's, and dancing on a permanent basis for special events, private occasions and weddings. Per their business plan, the entertainment will consist of live bands or DJ's playing contemporary Western or Asian themed music and will take place on the second floor banquet area of

their restaurant. Lucky Dragon has offered this type of entertainment for special events in the past, without incident, by means of temporary licenses. The applicant intends to operate the business in the same manner, including employing an off-duty officer for event security.

**POLICE REVIEW:**

No additional source of funds was needed due to the nature of this upgrade. Police Licensing and this inspector have reviewed the applicant's criminal history and determined it is not relevant to this application. The owner met with the 1<sup>st</sup> Precinct and reviewed their security plan as required.

**PUBLIC HEARING SUMMARY:**

A public hearing is required for this license application. 154 notices were mailed to residents and property owners within 600 feet of the premises on October 10, 2012. Notice was also provided via email to the council member, and neighborhood and business associations, and by posting on multiple multi-residential buildings. The public hearing is scheduled for October 22, 2012, at the Regulatory, Energy and Environment Committee meeting.

Subsequent to the public hearing notification, Licensing became aware of occupancy and building issues that require follow-up by the applicant prior to approving this upgrade.

**RECOMMENDATION:**

The Licenses and Consumer Services Division recommends postponing Lucky Dragon's request for a permanent upgrade of entertainment to a Class B.