

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

LICENSE NUMBER: L247-50381 **POLICE FILE NUMBER:** 13318

DATE OF APPLICATION: 9/6/2012

INSPECTOR: Mohamed Ismail

APPLICANT/LEGAL ENTITY: Lo Borrega, Inc

DBA/TRADE NAME: Rincon 38

COMPLETE ADDRESS: 3801 Grand Ave S

LICENSE REQUESTED: Charter On-Sale Wine/Strong Beer Class E
and Sidewalk Café

CURRENT LICENSE: None

RESPONSIBLE PERSON WITHIN 75 MILES OF MINNEAPOLIS CITY HALL:
Hector Ruiz

PUBLIC HEARING REQUIREMENTS: Required

LICENSE CONDITIONS: None

NEIGHBORHOOD/WARD: Kingfield Neighborhood Association

ZONING: C1

7 ACRE REQUIREMENT: This has not been met.

OFF-STREET PARKING: The applicant has non-conforming rights to off-
street parking.

CHURCHES OR SCHOOLS WITHIN 300 FEET OF THE PROPOSED PREMISES: Yes

SEATING: Inside: 32 Seats Outside: 16 seats

FOOD SERVICE REQUIREMENT: The applicant meets the minimum food service
requirement of 70/30 food to alcohol.

HOURS OF OPERATION PROPOSED: INSIDE: The inside hours will be 11:00A.M to
1:00A.M daily and hours for the sidewalk café will be from 10:00 a.m. to 10:00 p.m.
Sunday through Thursday and from 10:00 a.m. to 11:00 p.m. Friday and Saturday.

METROPOLITAN COUNCIL SERVICE AVAILABILITY CHARGES: Yes

HISTORY OF LOCATION

This location previously was food manufacturer license.

APPLICANT

La Borrega, Inc, dba Rincon 38 was incorporated under Charter 302A, File # 444714700026, on September 114, 2012. The corporation minutes contain the necessary restriction of the transfer of shares. The applicant has also provided documentation showing adequate funding for this venture.

Name	Title	Share
Hector Ruiz	Owner/President	75%
Eric Hawkins	Director	25%

MANAGER

The owners are acting as the managers.

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.

PREMISES

The Rincon 38 is located at 3801 Grand Ave. It is located in a single story building with a ground floor entry. It contains 998 square feet with interior seating for 32 persons. The location is compact and contiguous as required by city ordinance. A bar area is not allowed in a Charter Wine establishment. There will be sidewalk café area immediately adjacent to the building on 38th Street and it has 16 seats with five tables. There is a charter school within 300 feet of this location.

BUSINESS/PLAN/OPERATIONS

Businesses licensed under Charter Wine Amendment 144 must have a full menu with a minimum of four entrees. The Rincon 38 menu will consist of breakfast items, lunch, and dinner. Additionally, patrons are required to order food before any alcoholic beverages are served so the establishment must have food available during operating hours. A full kitchen was indicated on both their floor plan and the environmental health food plan review.

The applicant will not offer mechanical amusement devices or charitable gambling on the premises. They are not sponsoring any sports teams and no entertainment is planned.

The applicant is requiring all servers to attend alcohol server training. Their business plan indicates an alcohol policy that requires all patrons who appear to be a minor to be

carded. Rincon 38 has contracted with Alcohol Compliance Services to conduct the initial alcohol compliance training for staff. If there is the slightest doubt about someone's age, staff will ask for identification.

The license holder is requesting a Class E entertainment license which permits the use of radio, television, prerecorded music, karaoke, and jukebox with limited non-amplified sound in the premises.

SIDEWALK CAFÉ AREA

The sidewalk café area will be located behind the sidewalk on the city right of way facing west 38th Street. There will be five tables and 16 chairs on the city right of way. Hours for the Sidewalk Cafe will be from 10:00 AM to 10:00 PM Sunday through Thursday and from 10:00 AM to 11:00 PM Friday and Saturday.

PUBLIC HEARING SUMMARY

A public hearing is required for this license application. 361 notices were mailed to resident and property owners within 600 feet of the premises on November 9, 2012. An electronic hearing notice was e-mailed to Council Member Elizabeth Glidden, Kingfield Neighborhood Association, and the Nicollet/East Harriet Business Association on November 9, 2012.

RECOMMENDATIONS

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Wine/Strong Beer Class E.

LICENSE CONDITIONS

There are no license conditions being placed on this license at this time.