

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

**License Number:** L247-50422      **Police File Number:** F.13447

**Date of Application:** October 11, 2013

**Inspector:** Nicole Anderson

**Applicant/Legal Entity:** FABAB NE, Inc.

**DBA/Trade Name:** JL Beers

**Complete Address:** 24 University Ave NE #100, Minneapolis, MN 55413

**Licenses Requested:** On-Sale Wine with Strong Beer, Class E

**Current License:** None

**Responsible person within 75 miles of Minneapolis City Hall:** Michael Evans

**Public Hearing Requirement:** Required

**Neighborhood/Ward:** Nicollet Island-East Bank Neighborhood/03

**License Conditions:** None

**Zoning:** C3A/MR/PO - This is a permitted use in the Community Activity Center District/Mississippi River Critical Area Overlay/Pedestrian Oriented Overlay District.

**7 acre requirement:** Met

**Off-Street Parking:** The Office of the Zoning Administrator has determined that three spaces are required to be provided on site.

**Churches or schools within 300 feet of the proposed premises:** No

**Seating:** Inside: 62 Seats      Outside: N/A

**Fire Occupancy:** Inside: 65      Max. Capacity Outside: N/A

**Food Service Requirement:** The applicant is within 500 feet of a residentially zoned district and is required to operate as a restaurant subject to the 60/40 ratio of food to alcohol sales. No more than 40% of gross annual sales may be from alcohol.

**Hours of operation proposed:** Inside: 11:00 a.m. to 12:00 a.m. Daily; open until 1:00 a.m. for special occasions, around 6 times a year.  
Outside: N/A

**Metropolitan Council Service Availability Charges:** Four (4) SAC charges. The SAC charges will be paid upon building permit approval for interior remodel.

**HISTORY OF LOCATION**

This location has been vacant for several years. This is the historical site for the Minneapolis Fire Department Repair Shop also known as the Fire Barn building.

**APPLICANT**

The applicant is FABAB NE, Inc., DBA, JL Beers. It was incorporated under File Number 696181000026 under Chapter 302A on May 16, 2013.

JL Beers is a franchise business originating in Fargo, ND. They currently have five locations in the Dakotas and one in Moorhead, MN. JL Beers strives to be a community-oriented business.

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:

<b><u>Name</u></b>	<b><u>DOB</u></b>	<b><u>Title</u></b>	<b><u>Ownership (%)</u></b>
Michael B. Wright	07/02/1964	President/Director	33.4%
John M. Glockner	04/04/1964	Vice Pres./Director	33.3%
Theodore W. Coulter	12/25/1963	Treasurer/Sec/Director	33.3%

**MANAGER**

JL Beers will be managed by Michael Evans. Mr. Evans has 6 years experience in the restaurant and alcohol service industries. He has experience as a Server, Bartender, Bar Trainer, and Marketing Coordinator from Buffalo Wild Wings and Famous Dave’s from 2007 to 2012. In 2012 he became Assistant Manager for JL Beers in South Dakota and has moved to the Twin Cities to become General Manager for this new location.

**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 Second Precinct of the Minneapolis Police Department has discussed security issues with the applicant.

**PREMISES**

JL Beers will be a full service, sit-down restaurant. The business will occupy the first floor street level and basement floor of the building at 24 University Avenue Northeast, Suite #100. The entire premises occupy approximately 3,515 square feet. The first floor consists of 1,908 square feet with 540 square feet for customer use; the remaining space consists of kitchen, prep space, and restrooms. The basement consists of 1,607 square feet and will be used for food preparation, cooler and dry storage, and office space. The fire code occupancy is 65 people on the first floor and 8 people in the basement. The interior seating will consist of 62 seats with 32 table service

seats, 22 counter seats, and 8 bench service seats. The licensed premises space is compact and contiguous. There are no undefined spaces.

### **BUSINESS PLAN/OPERATIONS**

All alcohol servers will complete regular alcohol awareness/alcohol compliance training given by Laura Boyd of Alcohol Compliance Services (ACS). They will continue to retain ACS or another qualified provider for ongoing training and for new employees. Their policy is to check the identification of everyone that orders alcoholic beverages that appear under 35 years of age, in the best judgment of the server. An electronic card reader is not anticipated at this time. JL Beers will immediately terminate any employee that illegally serves a minor any alcohol. Self-audits will be conducted if the business feels the need or suspects issues with alcohol service.

JL Beers has met with the 2<sup>nd</sup> Police Precinct to discuss security related concerns and anticipates their security needs to be nominal. Management and staff are trained in the basic principles of establishment security and have expected protocols for handling security related issues. The building also has shared off-duty police representation that supervises and assists all tenants in the building.

Entertainment will consist of radio, television, and prerecorded background music. With the limited entertainment JL Beers anticipates nominal noise issues; however, if issues arise they will be dealt with in a timely manner by the general manager or supervisor on duty.

JL Beers believes their overall impact on the community will be positive based on the nature of their business, their size, and by their usual clientele. This location also is in line with the surrounding area's commercial node. There is currently no outdoor area but one may be anticipated in the future.

Dedicated staff will be responsible for litter removal daily within 100 feet of the premises prior to opening and just before employees leave for the evening.

The businesses proposed hours of operation will be 11:00 a.m. until 12:00 a.m. daily with possible reduced hours during the week, as late night and early morning hours are not the focus of their business. The business may remain open until 1:00 a.m. for special occasions, such as New Year's Eve or sporting events but will be limited to 6 times a year. The business may, as well, remain open until 1:00 a.m. with alcohol service ceasing at 12:00 midnight to allow patrons to finish meals and drinks on an occasional basis.

The diner counter seating will always be set up with condiment caddies, including food menu and paper towel holder, at all times in a position of one caddy set-up for every two chairs. Every guest that sits at any chair in the restaurant will be asked about the food menu and for a food order; all employees are trained in this standard procedure. The beer taps will be located on the back wall of the kitchen space and not attached to the dining food counter. The applicant indicates they will not offer alcoholic beverage "happy hour" specials.

The menu offers several varieties of hamburgers, fresh cut fries, and fresh cut chips in a variety of flavors, along with non-alcoholic beverages ranging in price from \$3.39 to \$5.39.

There will be no charitable gambling, or team sponsorships.

This JL Beers franchise has over 25 plus years combined experience in ownership and operations of several Famous Dave restaurants with alcohol service throughout the Dakotas and Minnesota along with the JL Beers location in South Dakota.

### **PUBLIC HEARING SUMMARY**

124 notices were mailed to property owners and residents within 600 feet of the main door of the establishment on October 23, 2013 and emailed to Council Member Hofstede, the Nicollet Island-East Bank Neighborhood Association and the Northeast Business Association on October

24, 2013. Seven multi-residential buildings were posted as well. The public hearing is scheduled at the Regulatory, Energy & Environment Committee on November 4, 2013.

**RECOMMENDATION**

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

**LICENSE CONDITIONS**

None