

# LICENSES AND CONSUMER SERVICES

## LICENSE INSPECTOR'S REPORT

**LICENSE NUMBER:** L024 50036

**WARD:** 7

**DATE OF APPLICATION:** June 5, 2006

**INSPECTOR:** Linda Roberts

**PURPOSE OF APPLICATION:** Place of Entertainment Class A

**APPLICANT:** Entertainment Concepts LLC; Owners: Michael Nigai and Donna Sleutskaya

**DBA:** Divas Gentleman's Club

**ADDRESS:** 417 2<sup>nd</sup> Avenue North

**LOCATION HISTORY:** This location has not had a licensed use.

### **ORDINANCE REQUIREMENTS:**

Zoning Code 549.350

No sexually oriented use shall be allowed within 500 feet of a religious institution place of assembly. Three Degrees, located at 113 North 5<sup>th</sup> Street, a religious institution place of assembly with regularly scheduled services on Sundays and Wednesdays is 298 feet from this application premise.

No adult entertainment may be operated within 500 feet of a state-licensed day care facility. Cradle Club, Butler Square, located at 160 North 6<sup>th</sup> Street, is a state-licensed day care facility that is 432 feet from this application premise. However this day care facility was established in 1999 and has not been established prior to November 1, 1986.

The above measurements were done in accordance with Zoning code requirement for measurement in a straight line from the main public entrances of said premises.

Because the City of Minneapolis has an ordinance which regulates adult uses, Minn. Stat. sect. 617.242 does not apply to the City of Minneapolis' regulatory scheme. Therefore, we are not required to opt out to preclude application of its terms and requirements. However, the City of Minneapolis has initiated action to opt out of the statute as a matter of course.

**STAFF RECOMMENDATION:**

This application does not meet Minneapolis ordinance requirements. Staff recommendation is to deny this license application.