

LICENSES AND CONSUMER SERVICES

LICENSE INSPECTOR'S REPORT

FILE: 13178

WARD: 7

**APPLICANT:** Fulton, LLC

**ADDRESS:** 414 6<sup>th</sup> Avenue North

**DBA:** Fulton Brewery

**TYPE OF LICENSE:** Off Sale Malt Liquor

**DATE OF APPLICATION:** 10/04/11

**INSPECTOR:** Phil Schliesman

**PURPOSE OF APPLICATION:** The applicant seeks approval of an off sale malt liquor license to permit the sale of "growlers" by a licensed brewer.

**PREMISES HISTORY:** This location had been a warehouse and has recently opened as the Fulton Brewery, licensed by the State of Minnesota as a micro-brewery.

**BASIC LICENSE INFORMATION**

**Zoning District:** B4S-1. This zoning designation allows for an off sale alcohol license.

**Church or School:** N/A

**Premises History:** This location had been a warehouse and has recently opened as the Fulton Brewery, licensed by the State of Minnesota as a micro-brewery.

**Public Hearing:** Notice to residents and property owners within 300 feet of the premise is required.

**APPLICANT**

The applicant is Fulton, LLC, a Minnesota company registered with the State of Minnesota Secretary of States office since 06/29/2009 (Charter No. 3396479-2) and has held a micro-brewery State of Minnesota license at 414 6<sup>th</sup> Avenue North, since 9/16/2011. The following are listed as company officers:

<u>Name</u>	<u>Title</u>	<u>Shares Held</u>
Ryan Petz	President	20,000
James Diley	Vice President	20,000
Peter Grande	Treasurer	20,000
Brian Hoffman	Secretary	20,000

## **OFF SALE MALT LIQUOR LICENSE**

The applicant has held a micro-brewery license (ID No. 33241) with the State of Minnesota Department of Public Safety since 9/16/2011. The state law that allows for such license is contained in the 2003 session of the Minnesota Legislature adopted changes to Chapter 340A.301 (sub. 7) to permit the issuance, to the holder of an on-sale liquor license, of an off-sale malt liquor license for malt liquor brewed on the licensed premise.

The statute provides for the following:

1. Off sale of malt liquor may only be made during the hours that off-sale of liquor may be made;
2. The malt liquor shall be packaged in 64-ounce containers commonly known as "growlers";
3. The malt liquor sold at off-sale must be removed from the licensed premise before the applicable closing time at exclusive liquor stores;
4. The "growler" must be sealed in such a manner that the seal must be broken in order to open the container and the seal must bear the name and address of the brewer.

### **COSTS ASSOCIATED WITH BUSINESS VENTURE:**

The expenses associated with this application are very minimal, paying for the licensing fee and the display counter/cooler.

### **SOURCE OF FUNDS:**

The applicant intends to use funds from their general operating revenue to pay for the license fee and any other cost that may arise associated with this application.

### **BUSINESS OPERATIONS:**

The growlers will be offered in a merchandise area inside of the brewery building. The growlers will be pre-filled daily and stored in a glass front cooler behind the merchandise counter. Only brewery staff and/or management will be taught how to fill the growlers. Patrons will be told by staff that they must leave the premises once they obtain the growler. Patrons will not be served a growler until they are ready to leave the premises. The empty growlers, when returned, will be cleaned and recycled using the same sanitation process as regular kegs.

### **Public Hearing and Notice to Residents:**

This application is subject to a public hearing requirement where notice is given to all property owners and residents located within 300 feet of the establishment. The public hearing for this application will be held on October 24th, 2011 at 1:30 p.m. during the regular Regulatory, Energy and Environment Committee Meeting in Room 317, Minneapolis City Hall. 7 Notices of this hearing were mailed on October 11<sup>th</sup>, 2011.

Minneapolis Police Licensing reviewed this report all supporting documents and recommended approval on October 11<sup>th</sup>, 2011.