

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

License Number: L200-50172 **Police File Number:** F.13725

Date of Application: July 22, 2015

Inspector: Nicole Anderson

Applicant/Legal Entity: GZG Acquisition Company, LLC

DBA/Trade Name: Gasthof/ Gasthof Zur Gemutlichkeit

Complete Address: 2300 University Avenue Northeast, Minneapolis, MN 55418

Licenses Requested: On-Sale Liquor with Sunday Sales, Class B, Sidewalk Café, Food Caterer, and Tobacco Dealer

Purpose of Application: New Proprietor

Responsible person within 75 miles of Minneapolis City Hall: Jeffrey Kaster

Public Hearing Requirement: Required for Sidewalk Cafe

Neighborhood/Ward: Bottineau/03

License Conditions: None

Zoning: C2/R2B/TP– This is a permitted use in the Neighborhood Corridor Commercial / Two Family/ Transitional Parking Overlay Districts

7 acre requirement: Less than Seven Acres but grandfathered in from existing establishment.

Off-Street Parking: The Office of the Zoning Administrator has determined that this property is grandfathered and does not require further off-street parking. Information gathered from the previous application states the applicant provided 150 off-street parking spaces in the lot.

Churches or schools within 300 feet of the proposed premises: Yes, church

Seating: Inside: 186 Seats Outside: 32

Fire Occupancy: Inside: 489 Max Capacity Outside: 60

Food Service Requirement: This establishment will operate as a restaurant and have a full food menu up until one hour prior to closing.

Hours of operation proposed: Inside: 3:00pm to 2:00am Monday–Thursday; 11:00am to 2:00am Friday-Sunday.

Outside: 3:00pm to 2:00am Monday–Thursday; 11:00am to 2:00am Friday-Sunday.

Metropolitan Council Service Availability Charges: One SAC charge. The SAC charge is to be paid prior to city council approval.

HISTORY OF LOCATION

This location previously operated as Arthur’s with an On-Sale Liquor with Sunday Sales, Class B license prior to 1991, as KJ’s Nordeast with an On-Sale Liquor with Sunday Sales, Class B license from approximately 1991- March 1992, and as Gasthof Zur Gemutlichkeit, under a different corporate ownership, with an On-Sale Liquor with Sunday Sales, Class B license from approximately 1992-2015.

APPLICANT

The applicant is GZG Acquisition Company, LLC, a Minnesota company formed on January 21, 2015, under Chapter 322B (File Number 807153400027), having the required restriction on the transfer of shares and having the following shareholders and officers:

<u>Name</u>	<u>Title</u>	<u>Ownership</u>
Matthew Lokowich	President	51%
Jeffrey Kaster	Treasurer	49%

MANAGER

Gasthof’s will be managed by Jeffrey Kaster, one of the owners. Mr. Kaster has been in the hospitality industry for majority of his career and co-owns The Bulldog in St. Paul along with The Bulldog Restaurant on Hennepin Avenue.

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

The business will occupy the main street level and basement level of the building at 2300 University Ave NE. The entire premise occupies approximately 18,887 gross square feet with approximately 10,365 gross square feet for business use inside and 500 gross square feet total for the sidewalk cafe area. The occupancy load is 489 inside and 60 on the sidewalk cafe. The interior seating will consist of 186 seats in the main level dining area and 64 seats in the basement level. There is also a second floor area which will only consist of office space and a utility room; the public will not be allowed in this area. The sidewalk cafe will consist of seating for 32 patrons at eight four-top tables. The rest of the establishment consists of a kitchen, coolers, storage areas and rest rooms. 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. During times of live entertainment in the basement of the establishment identification will be checked by security staff at the main entrance door and possibly again at the bottom of the stairs.

Gasthof's is considering an incentive program for employees who pass an alcohol compliance sting but also believe it is the responsibility of the staff to follow all rules and regulations that go along with alcohol service. They may terminate any employee that illegally serves a minor any alcohol, depending on the circumstances of the incident. Self-audits will be conducted if the business feels the need or suspects issues with alcohol service.

Gasthof's has met with the 2nd 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. Gasthof's will have five to six employees dedicated to security after 9pm on weekends and during events, which will be identifiable by way of a uniform.

Entertainment will be consistent with how Gasthof's has operated their entertainment in the past, with a Class B license offering been solo musicians and German oriented groups playing acoustic music on the main level and German style music by live bands and by DJ in the basement level. A dance floor will continue to be offered to patrons in the basement level of the establishment. The basement level will also continue to offer four amusement devices as well as a jukebox.

A sidewalk café will be located on the University Avenue Northeast side of the building with seating for 32 patrons at eight four-top tables. The sidewalk café will be surrounded by wooden planter boxes to help absorb any noise from general conversation. University Avenue is a heavily traveled road so any noise from the sidewalk café should not be above the ambient level. They may offer small outdoor speakers in the sidewalk café and, if so, they would be placed underneath the overhang to absorb sound and oriented downward and inward. Only

management level staff will have access to the volume controls, which will be maintained at a low level playing background music. Speakers will be turned off no later than 10:00 p.m. Gasthof's believes their overall impact on the community will be positive based on the nature of their business, their size, and by their usual clientele, which will remain as it has. Any complaints will be dealt with immediately by staff.

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 3:00 p.m. until 2:00 a.m. Monday through Thursday and 11:00 a.m. until 2:00 a.m. Friday through Sunday; these hours are subject to change depending on holidays, events, or customer demand.

There is no charitable gambling or team sponsorships intended at this time.

PUBLIC HEARING

A public hearing is required for this application solely for the sidewalk café since the establishment has been licensed with an On-Sale Liquor with Sunday Sales, Class B license prior to 1991.

63 notices were mailed to property owners and residents within 300 feet of the establishment on July 30, 2015 and emailed to Council Member Frey, the Bottineau Neighborhood Association and the Northeast Business Association. The public hearing is scheduled at the Community Development & Regulatory Services Committee meeting on August 11, 2015.

RECOMMENDATION

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Liquor with Sunday Sales, Class B license, Sidewalk Café, Food Caterer, and Tobacco Dealers licenses.

LICENSE CONDITIONS

None

DIAGRAM

See next page.

*Approved
BMS 7/10/15*

SIDEWALK CAFE LEGEND

- | | | | | | |
|---|---------------------|---|-----------------------|---|--------------------------------|
|  | EXISTING BITUMINOUS |  | PP POWER POLE |  | 48" x 24" PATIO TABLE (QTY. 6) |
|  | EXISTING CONCRETE |  | TRAFFIC FLOW |  | 24" x 24" PLANTER BOX (QTY. 4) |
|  | EXISTING BUILDING |  | PATIO CHAIR (QTY. 30) |  | DELIMITATION LINE |



1 SIDWALK CAFE PLAN
 1/16" = 1'-0"



EXISTING CONDITIONS

VERIFY ALL EXISTING CONSTRUCTION DIMENSIONS, ELEVATIONS AND CONDITIONS BEFORE STARTING ANY CONSTRUCTION.
 REVIEW ANY DISCREPANCIES WITH THE ARCHITECT. ADJUST NEW CONSTRUCTION AS REQUIRED.



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GASTHOF ZUR GEMUTLICHKEIT RESTAURANT
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 MINNEAPOLIS, MN 55418

JOB CAPTAIN
 JH

PROJ. NO.
 615-20

ISSUE DATE
 06/11/15

SHT. NO.
A1.2