

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

License Number: L247-50546 **Police File Number:** F13847

Date of Application: May 24, 2016

Inspector: Mohamed Ismail

Applicant/Legal Entity: The Black Swan, LLC

DBA/Trade Name: Xavi Restaurant

Complete Address: 5607 Chicago Ave, Minneapolis, MN 55417

License Requested: Charter On Sale Wine with Strong Beer, Class E

Current License: Restaurant

Purpose of Application: To obtain a Charter On Sale Wine with Strong Beer, Class E as a new proprietor

Responsible person within 75 miles of Minneapolis City Hall: James Elm

Public Hearing Requirement: Not required

Neighborhood/Ward: Diamond Lake / Ward 11

Zoning: C1/AP

7 acre requirement: Not met

Off-Street Parking: The Zoning administrator has determined that no parking spaces are required.

Seating: Interior: 54 Fire Occupancy: 79
Exterior: 32 Total outdoor Occupancy: 32

Hours of operation proposed: Interior: Tuesday to Saturday 4:00 p.m. to 11:00 p.m.
Exterior: Tuesday to Saturday 4:00 p.m. to 11:00 p.m.

Metropolitan Council Service Availability Charges: Pending.

History of Location

This location has housed First Course which was licensed as a Charter On Sale Wine with Strong Beer, Class E, since February of 2001.

Applicant

Applicant is the Black Swan, LLC, which is registered as a limited liability corporation under Minnesota Statute 322B.

<u>Name</u>	<u>Title</u>	<u>Shares</u>
James Elm	Owner /Operator	50%
Michael Agan	Owner /Operator	50%

Both owners are experienced in the restaurant industry. Mr. Elm and Mr. Agan have been in the hospitality industry for more than 15 years.

Manager

James Elm will be the manager.

Police Review

Minneapolis Police Licenses and the 3rd Precinct have reviewed the financial, criminal background and security plans. They have found the applicants to meet minimum ordinance requirements.

Premises

The premise is 1800 square feet. It will seat 54 persons on the interior. Six seats will be at tables and the rest of the seating are booths. There will be bar seating for twelve people. All business activity will occur on one floor. There will be a private patio with seating for 32 people at twelve tables.

Business Plan/Operations

Xavi Restaurant will be a full service restaurant. The hours of operation for the interior will be Tuesday to Saturday 4:00 p.m. to 11:00 p.m. The patio hours will be same as the interior. They will not have outdoor speakers.

The applicant is requiring all servers to attend alcohol server training. Their business plan indicates they will be having mandatory attendance Alcohol Awareness training that will be conducted by Best Beverage. All persons ordering an alcohol beverage who appear to be under the age of 40 will be asked to provide proper ID.

Xavi Restaurant's security plan indicates staff will regularly inform exiting guests to have a safe evening and to respect the surrounding neighborhood. Management and staff will work with Minneapolis police to escort potentially problematic guests away from the area.

Xavi Restaurant's noise mitigation includes training their employees to address loud or unruly behavior from patron; removal procedures for unruly or disruptive patrons, and the importance of minimizing noise as patrons depart the premises, with an emphasis on closing.

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.

The applicant will not offer mechanical amusement devices or charitable gambling on the premises. At the present time, they have no immediate intent to sponsor competitive sports teams.

PUBLIC HEARING SUMMARY

There is no public hearing required for this application because the license type and class of entertainment are not increasing from what was previously allowed at this location.

RECOMMENDATION

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

LICENSE CONDITIONS

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