

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

**License Number:** L200-50209

**Police File Number:** 13875

**Date of Application:** August 17, 2016

**Inspector:** Michele Harvet, 612-673-5484

**Applicant/Legal Entity:** DGB Investments, Inc.

**DBA/Trade Name:** Prive

**Complete Address:** 315 1<sup>st</sup> Avenue North, Minneapolis, MN 55401

**License Requested:** On-Sale Liquor with Sunday Sales, Class B

**Current License at Location:** On-Sale Liquor with Sunday Sales, Class B

**License History of Location:** There has been an On-Sale Liquor with Sunday Sales, Class B license, on and off, at this location since at least 1993.

**Purpose of Application:** To obtain an On-Sale Liquor with Sunday Sales, Class B license as a new proprietor.

**Responsible person within 75 miles of Minneapolis City Hall:** Nabil Ghebre

**Public Hearing Required:** Not Required

**Neighborhood/Ward:** Downtown West / 3

**Zoning:** B4S-2/DP - This is a permitted use in the Downtown Service and Downtown Parking Overlay Districts.

**7 acre requirement:** Met

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

**Seating:** Inside: 168                      Outside: None

**Fire Occupancy:** Inside: 794

**Hours of Operation:** 3:00 PM - 2:00 AM Monday through Friday  
12:00 PM – 2:00 AM Saturday and Sunday

**Food Service Requirement:** This establishment meets the minimum food service requirements set forth in MCO 360.65.

**Alcohol Server Training:** Training will be provided by Minnesota Licensed Beverage Association.

**Metropolitan Council Service Availability Charges:** A new SAC determination is not required for this business as there is no change in use.

**Applicant**

The applicant is DGB Investments, Inc., a Minnesota corporation, formed on March 7, 2006, under Chapter 302A (File Number 1745671-2), having the required restriction on the transfer of shares, and has the following owners:

<u>Name</u>	<u>DOB</u>	<u>Title</u>	<u>Shares</u>
Nabil Ghebre	11/12/78	President/Secretary/Treasurer	90%
Hamza Muridi	1/1/89	Partner/Manager	10%

The applicants have experience managing a liquor establishment and are currently the managers at The Venue. They meet all minimum requirements including criminal background check.

**Manager**

The manager will be Nabil Ghebre. Mr. Ghebre has had at least one year of experience in the alcohol service industry at this same location.

**Premises**

The new proprietor will be occupying the same space as the previous licensee. The premises contain 10,700 gross square feet on the first floor and mezzanine level of the building. There is seating for 168 patrons. There is a dance floor and stage on the first floor. There is a bar on each level. The basement level has a kitchen, cooler/freezer, storage, office and a restroom. The basement area is not open to the public. The space is compact and contiguous.

**There is no outdoor area for this establishment.**

**Business Plan/Operations**

All employees will be required to complete a comprehensive alcohol compliance training program by the Minnesota Licensed Beverage Association (MLBA).

Each employee will also receive group alcohol service training twice per year through MLBA. New staff will be trained throughout the year. Self-audits will be performed at least four times per year. Every customer that appears under 40 years of age must present a legal photo identification card to prevent service to person under 21 years of age. No patrons under 21 years of age will be allowed in the establishment.

Management and staff will be trained in the basic principles of establishment security and expected protocols for handling security related issues. All patrons must enter the business using the front

door, at the 315 1<sup>st</sup> Avenue entrance, which is monitored by security cameras. Security will be primarily provided by dedicated security staff. There will be a manager on duty at all times while the business is open. Security cameras will be located inside and outside with cameras covering all bars, exits and entrances. Surveillance data will be maintained for a minimum of 90 days and will be provided to City staff when requested.

There will be a gradual closing procedure implemented so that customers don't all leave at once, starting at 1:30 AM with all customers out of the establishment by 2:15 AM, per submitted plan. Management will maintain constant vigilance to ensure that excessive noise does not emit from the business.

Prive is proposing entertainment that appeals to a wide demographic from 21 to 45 years of age. They will also market to private parties and corporate events. They intend to offer a fun, welcoming, visually stimulating atmosphere and special night out by offering a live, local disc jockey, as well as a video disc jockey generally playing Top 40, rock, hip hop and house music. There will be patron dancing. Prive will also offer background music, typically prerecorded, as well as radio, and television, especially at times sporting events are offered and may offer other forms of entertainment allowed under the Class B license. Any events involving promoters will be under a contract as laid out in the application packet.

Menu items include fruit tray with yogurt dip, vegetable tray with hummus dip, soul rolls, chicken wings, flatbread pizza and sweet potato fries, ranging in price from \$6 to \$14.

Litter will be removed daily on and within 100 feet of the premises.

There will be no sports sponsorships or charitable gambling.

### **License Conditions**

1. The licensee shall provide a full and up to date schedule of events on their public website that details each event or promotion the establishment is offering.
2. The licensee shall take all necessary and prudent steps to avoid violent incidents from occurring at their establishment during events by assessing the reasonably foreseeable risks associated with the nature of the event(s), the history of the performer(s), and the anticipated number of attendees.
3. No glass beer bottles will be served to patrons.
4. No one under the age of 21 will be allowed to enter the premises.
5. The licensee must utilize an ID scanner to verify the age of all persons seeking to gain entrance to the establishment.
6. The licensee will be responsible for the confiscation of falsified identification cards and the timely remittance of these cards to the 1<sup>st</sup> Precinct.
7. To assist in the prevention of reoccurring disturbances by known persons, the licensee shall compile, maintain and share with the 1<sup>st</sup> Precinct a "Do not admit" list of persons who have been trespassed and/or refused service per Minnesota Administrative Rule 7515.0590. Subp.3.
8. The licensee shall utilize the valet procedure as detailed in the business plan and security plan.

9. The licensee shall utilize a metal detector to wand persons seeking to gain entrance to the establishment as needed or as determined by Minneapolis Police.
10. Dedicated security staff will monitor the activity in the establishment and if any criminal activity is observed security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.
11. Dedicated security staff shall not allow customers or passersby to loiter for any purpose near the establishment during business hours.
12. The licensee shall utilize the closing procedure as detailed in the business plan and security plan.
13. Dedicated security staff shall assist in crowd dispersal for at least one half hour after closing of the establishment to prevent loitering.
14. The licensee will not distribute hand-bills advertising promotions to anyone walking on city sidewalks, streets, or alleys; nor place any on parked motor vehicles.
15. The licensee shall develop and utilize a promoter contract for any event in which a promoter is used, and provide a copy of the contract to the Licensing office. The contract will contain language stating that no promoter shall post any materials (snipe advertising and/or dba violations) in violation of Minneapolis Ordinances.
16. The licensee shall send a representative to monthly LINC meetings.
17. The licensee shall operate and maintain surveillance cameras in accordance with Minneapolis City Ordinance 259.230 for all areas accessible to the public.
18. Any and all VIP bottle service offered at this establishment shall have an assigned server who will be responsible for monitoring alcohol consumption and preventing alcohol consumption for anyone that shows signs of over intoxication. Bottles are not allowed to be removed from the VIP area and no more than one bottle will be allowed per four patrons. All bottles will be removed prior to 1:45 am.
19. There shall be no "shot" or drink specials priced at \$2.00 or less.
20. Alcohol server training shall be provided to all staff at least two times per year and documented. This documentation shall be made available to City staff upon request.
21. Self-audits for youth alcohol compliance shall be performed and documented at least four times per year. This documentation shall be made available to City staff upon request.
22. Sex trafficking training shall be provided to all staff within two months after new license is granted. Training must be certified by City staff.
23. The licensee shall only allow any Sunday sales when they are in compliance with the definition of a restaurant per Minneapolis Code of Ordinances 360.10.

24. The licensee shall not allow any use of the lobby at 311 1<sup>st</sup> Avenue North for their business. The door that connects the lobby of 311 1<sup>st</sup> Avenue North shall not be used for any patrons to pass between the two areas.
25. The licensee shall collect all litter within 100 feet of the exterior of the licensed premises on a daily basis.
26. The licensee shall at all times keep an accurate occupancy count and immediately share such figures upon request to any official of the City of Minneapolis.
27. The licensee shall perform a criminal background check on any new employee and maintain a copy of the employee's identification and background check on the licensed premises. This documentation shall be made available to City staff upon request.

### **Public Hearing Summary**

A public hearing is not required.

### **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 a criminal background check. The applicant has also undergone a security review with the First Precinct of the Minneapolis Police Department.

### **Recommendation**

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Liquor with Sunday Sales, Class B license.