REPORT / RECOMMENDATION

To: MAYOR & COUNCIL

Agenda Item #: IV. D.

From: Debra Mangen
City Clerk

Date: April 2, 2013

Subject: Smashburger New Wine/3.2 Liquor Licenses

Action ☒
Discussion ☐
Information ☐

Action Requested:
Motion approving New On-Sale Wine and 3.2 Beer Licenses to Smashburger Acquisition Minneapolis, LLC dba Smashburger, 10 Southdale Center for the period beginning April 2, 2013 and ending March 31, 2014.

Information / Background:
Smashburger Acquisition Minneapolis, Inc. dba as Smashburger, at 10 Southdale Center has applied for new on-sale wine liquor and 3.2 beer licenses. This will be a new restaurant within Southdale Center. They have filed the necessary paperwork and paid the applicable fees for the license.

The Administration Department has reviewed the submittals and finds that they comply with code requirements.

The Health Department is satisfied with the applicant's plan for storage and service.

The Planning Department has reviewed the application and finds that it complies with code requirements.

The Police Department has completed their investigation. Attached is Sgt. Tim Olson's memo stating the findings of the Police Department's background investigation.

The licenses are placed on the agenda for consideration by the Council.

BACKGROUND INVESTIGATION SUMMARY
ON-SALE WINE AND 3.2 PERCENT MALT LIQUOR LICENSE

Establishment: Smashburger, Store #1272
License: On Sale Wine and 3.2 Percent Malt Liquor

February 2013, the Edina Police Department began a background investigation relating to a City of Edina application for an On-Sale Wine and 3.2 Percent Malt Liquor license. The application was submitted by Smashburger Acquisition-Minneapolis LLC, dba: Smashburger store #1272. Smashburger Acquisition-Minneapolis LLC is one of several Smashburger Acquisition LLC's operating numerous Smashburger locations throughout the United States. The Smashburger Edina location will operate from 10 Southdale Center #2290B, Southdale Mall, Edina.

Smashburger Acquisition-Minneapolis LLC is authorized to do business in Minnesota and is registered with the State of Minnesota. Smashburger Acquisition-Minneapolis LLC is currently active and in good standing with the Minnesota Secretary of State.

Smashburger Acquisition-Minneapolis LLC and/or it's representatives are aware of the City of Edina's requirement relating to employee alcohol awareness training. Training dates to meet this requirement are pending.

Owners/Partners/Members: Smashburger Acquisition-Minneapolis LLC / Smashburger #1272:

David P Prokupek	Denver CO
Chris Chang	Denver CO

The owners/partners/members have been investigated and were found to have no criminal records. Checks were made with the following agencies.

NCIC
MINCIS
Hennepin County
Minnesota Secretary of State
Minnesota Alcohol and Gambling Enforcement Division

Personal, business and bank references were contacted and responded positively.

From the information gathered during the course of the investigation, I found nothing to prevent Smashburger Acquisition-Minneapolis LLC dba: Smashburger store #1272 from obtaining an On Sale Wine and 3.2 Percent Malt Liquor license.

I would support a positive recommendation from the Police Department in regard to the issuance of this license.

Sgt. Tim Olson #142