

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

FILE: 13203

WARD: 7

NEIGHBORHOOD: North Loop

APPLICANT: Davenport, Inc.

ADDRESS: 400 3rd Avenue North

DBA: 400 Sound Bar

CURRENT LICENSE HELD: On Sale Liquor Class A with Sunday Sales

LICENSE REQUESTED: Permanent Expansion of Premises

DATE OF APPLICATION: March 14, 2011

INSPECTOR: Phil Schliesman

ZONING DISTRICT: B4S-2. This zoning designation allows an alcohol establishment.

CHURCH OR SCHOOL: N/A

PUBLIC HEARING: Not required.

PREMISES HISTORY: The expansion area requested in this location was previously licensed as a Class A On Sale Liquor premises, most recently with the business name of Visage. Visage licensed premises consisted of the applicants currently licensed premises as well as the proposed expansion area.

PREMISES

The currently licensed premise consists of a portion of the physical space formerly occupied by Tropix and Visage, including a sidewalk cafe. The two former establishments, Tropix and Visage, occupied over 10,000 square feet of space on the first floor in the Historic Crane building, 400 3rd Avenue North. The owner of Visage split the space into two spaces, with one space larger than the other. The larger of the two areas consists of approximately 6,400 square feet and is the applicants currently licensed premises. The smaller of the two areas was formerly called The Rosewood Room at Visage. This smaller area consists of approximately 3,500 square feet and is the area the applicant is requesting to expand into.

Total seating for the establishment will now be for 167 patrons at booths, tables and 2 bars. There will be two dance areas. The sidewalk café will consist of 30 chairs at 8 tables. Maximum occupancy set by the Minneapolis Fire Inspection services for this location is 540. The applicant stated that the maximum capacity on any given night will be 300 to avoid overcrowding.

APPLICANT

The applicant is Davenport Inc., a Minnesota corporation lawfully organized and registered with the MN Secretary of State's office on October 15, 2010 (charter #4022551-2). The sole shareholder of Davenport, Inc. is as follows:

<u>Name</u>	<u>Title</u>	<u>Interest</u>
Johann Sfallos	President	100%

Corporate documents include the proper restrictive legend on the transfer of ownership interests as required by Minneapolis Code.

BUSINESS PLAN AND OPERATIONS

With the addition of the expansion area, there will be no changes to the below stated original business plan. No further SAC determination is needed as the charges have already been paid.

“The applicant plans to offer a limited menu featuring appetizers, sandwiches, soups and beverages. This establishment does not need to meet a food sales requirement but does need to meet the minimum food service requirement. The menu does meet the minimum food service requirement. The applicant held an on sale Class A liquor license, formerly known as Sound Bar, at 414 3rd Avenue North, and is now moving that business to this location. The applicant plans on offering the same type of business format as previously approved at the former location.

All employees will complete alcohol compliance training provided by an approved service provider annually. Business hours will be 8:00 PM-2:00 AM Thursday, Friday, Saturday and Sunday. 400 Sound Bar will offer electronically produced, prerecorded music, DJs, a dance floor, live performers such as aerialists, contortionists and other live acts, and periodic live bands playing top 40 hits, popular and cover music. No amusement devices will be offered. The applicant does not intend to offer charitable gambling at this time. The applicant is not considering sponsoring sports teams. At no time will adult entertainment be offered as there is a specific restrictive clause in the lease agreement and the applicant has provided a business plan addendum stating no adult entertainment will be offered.

The sidewalk café will offer seating for 30 people at 8 tables, providing one table handicap accessibility. The café will be approximately 375 square feet, and is located in front of the building housing the premises on a raised sidewalk along 3rd Avenue North. The hours will be the same as mentioned above. No live entertainment is being offered on the café.”

A police security review was conducted on 12/27/11 by the First Police Precinct. The applicant uses off duty police officers to assist in crowd control and dispersal.

POLICE REVIEW

Sgt. Markstrom completed background and financial reviews on December 29th, 2011 and has recommended approval of the application.