

**LICENSES AND CONSUMER SERVICES  
LICENSE INSPECTOR'S REPORT  
Extended Hours License  
L317-50025**

**Purpose of Application:** Applicant is applying for an extended hours license in order to be open until 3:00 a.m. seven days a week.

**Applicant's Name (Legal Entity):** Deron, LLC.  
**DBA/Trade Name:** Toppers Pizza  
**Complete Address:** 5447 Nicollet Ave  
**Telephone Number:** 612- 824-6000  
**Current License:** Food Manufacturer  
**Zoning:** C1

**Current Authorized Hours:** Sunday through Thursday, from 6:00 a.m. to 10:00 p.m.  
Friday and Saturday, from 6:00 a.m. to 11:00 p.m.

**Neighborhood/Ward:** 11  
**Date of Application:** June 4, 2012  
**Inspector:** Mohamed Ismail

**Public Hearing Requirement:** A public hearing is required for this license application. 80 notices were mailed to residents and property owners within 300 feet of the premises, and e-mailed to Windom Community Council on June 5, 2012. The public hearing will be held on Monday, July 9, 2012, at the Regulatory, Energy and Environment Committee meeting.

**Background:** Toppers Pizza has been licensed as a food manufacturer since June 5, 2012 and there are 12 seats in the establishment for customers waiting for their food orders. There have been no complaints during this period of time they have held a food manufacturer license. Toppers Pizza does not have any entertainment.

**Findings as Required by the Minneapolis Licensing Code:** The Licenses and Consumer Services Division has analyzed the application and concludes that the application has answered the following:

- 1. A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized.**

Toppers Pizza has had a security plan review with 5th Police Precinct Inspector Matt Clack. Security cameras are installed on the exterior of the building to monitor any outside activities which also allows the General Manager to view any activity outside from the interior of the restaurant. Silent alarms will be installed in the front and the rear of the kitchen area in the event of any situations that would escalate from direct confrontation.

- 2. Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise.**

Toppers Pizza does not have any live entertainment. They clean the premises and parking areas twice per day.

- 3. Such other reasonable and pertinent information as the city council may require.**

**Proximity to permitted or conditional residential uses.**

**Nature of the business and its impacts of noise, light and traffic.**

Toppers Pizza is adjacent to residential uses on one side of their premises. The rest of their premise is in a commercial area.

**Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area and specific development standards.**

The business is categorized as a food Manufacturer which is a permitted use in the C1 district.

**History of complaints related to the use.**

**LICENSE CONDITIONS:** Applicant has agreed to operating conditions which include the following:

1. Management at Toppers Pizza at 5447 Nicollet Avenue shall monitor that delivery drivers follow a written policy designed for this location. This policy shall be signed by each driver and shall include the following:
  - a) Drivers will refrain from playing their vehicles' stereos at excessive volumes while on-duty. Excessive volume shall be defined as sound that carries outside the vehicle.
  - b) Drivers must obey traffic laws. The store manager will perform periodic checks of drivers' records in order to confirm this. Disciplinary

action shall be established by Toppers Pizza for any driver be cited for a traffic law violation while working for Toppers Pizza.

- c) Drivers shall conduct themselves in a respectful and quiet manner while on-duty near residences.
- d) Drivers will not use the door adjacent to the alley after 9:00pm daily.
- e) Drivers will park in the parking lot adjacent to Nicollet Ave after 9:00pm daily.
- f) Drivers will not drive down the alley behind 5447 Nicollet Ave.
- g) When returning to the store, drivers will not park adjacent to single family residential properties. Minneapolis ordinance prohibits commercial vehicles from parking on residential streets. Citations may be issued by the Business License Department for violation of this ordinance.

2. Toppers Pizza at 5447 Nicollet Avenue shall remove litter from their premises and within 100 feet of their premises twice daily (once before 6 p.m. and once after 6 p.m.). A log of the date and time of the litter removal shall be kept at the store. This log shall be made available to Regulatory agents at request.
3. Smoking cigarette is not allowed at the alley or door adjacent.
4. The hours of operation for Toppers Pizza at 5447 Nicollet Avenue shall be 10:30 a.m. to 3:00 a.m., 7 days a week. All customers must be out of the establishment by 3:00 a.m.
5. Toppers Pizza at 5447 Nicollet Avenue shall make the store manager's phone number available to nearby residents to address concerns. The manager shall respectfully and promptly address the concerns.
6. Toppers Pizza at 5447 Nicollet Avenue shall not allow delivery trucks to block any residential driveway.

**RECOMMENDATIONS (pending public hearing):**

**The Licenses and Consumer Services Division makes the following recommendation regarding this application to extend hours:**

Grant the license applicant the following Extended Hours: 3:00 a.m., 7 days a week.

This is an annually reviewed license. These hours will be reviewed at the next license renewal period. It will be possible to restrict the hours further if there are violations related to the Extended Hours License.