

LICENSES AND CONSUMER SERVICES

LICENSE INSPECTOR'S REPORT

FILE: 13309
WARD: 7

APPLICANT: Markus 1, LLC

ADDRESS: 401 3rd Street North

DBA: Darby's Pub and Grill
Formerly J.J.'s Dry Dock Café and Darby O' Ragens

REQUESTED LICENSE: On Sale Liquor Class C-2 with Sunday Sales

CURRENT LICENSE: On Sale Liquor Class E with Sunday Sales

DATE OF APPLICATION: August 15, 2012

INSPECTOR: Phil Schliesman

NOTICE TO RESIDENTS: Notice to Residents and Property Owners is not required

PURPOSE OF APPLICATION: The applicant seeks approval of an expansion of the existing entertainment from Class E to Class C-2 along with new shareholders of the licensed entity. A public hearing is not required as this location was previously licensed in 2003 with an On Sale Liquor Class A License.

PREMISES:

The licensed premise will not change as a result of this application. The current premises consist of 4,229 gross square feet of street level seating area in the Designers Guild building. This restaurant has a seating capacity of 88 persons at tables and chairs and seating for 22 at a bar. The outdoor area has 32 seats. Fire occupancy is 122 inside and 125 on the patio.

New Shareholders:

The current ownership of the licensee is held by Complete Beverage Service, Inc. with the primary principle being Dave Perkins. With the approval of this application, the new ownership of the licensee will be as follows:

<u>Name</u>	<u>Title</u>	<u>% Ownership</u>
Marcus Dorn	President/Chief Manager	50%
Mark Serafin	Treasurer/Manager/Secretary	50%

Neither principle has a criminal history. Both Mr. Dorn and Mr. Serafin have extensive work histories in the restaurant industry.

COSTS AND FUNDS AVAILABLE:

Based upon the documents provided, it appears the applicant has sufficient funds to bring this change of shareholders application to fruition.

BUSINESS OPERATIONS:

The only change of operations as part of this application is to upgrade the entertainment from no live music to adding occasional live musicians, mostly non-amplified.

This restaurant offers a menu that features soups and salads, burgers, a large variety of hot and cold sandwiches, and entrees such as hot and cold sandwiches, wraps, and appetizers. The menu also includes deserts, coffee, juice and soda. The restaurant will be open Monday through Friday from 11:00 a.m. to 1:00 a.m. for Twins or Vikings games or special events; otherwise most night's closure will take place at 10:00 pm. The live entertainment is planned will consist of occasional live performers. This establishment will not provide pool tables or charitable gambling. All managers and employees will receive alcohol awareness/server training from the Minnesota Licensed Beverage Association.

MISCELLANEOUS ORDINANCE REQUIREMENTS:

Zoning: The Minneapolis Zoning Administrator has certified that this establishment is located in the B-4N zoning district, which is a lawful district for the intended use. This establishment is more than 500 feet from a residentially zoned district, therefore is eligible to have a bar area and does not need to meet a food sales requirement.

Customer Parking: The off street parking requirement for this restaurant is established by the Minneapolis Zoning Code. The Minneapolis Zoning Administrator has certified that this establishment is exempt from off street zoning requirements.

Health Department Approval:

The Minneapolis Health Department Food Sanitation Division has reviewed the applicant's Equipment, plans, and menu, and approves of this application pending a final inspection.

Churches and Schools:

There are no qualifying churches or schools within 300 feet of this establishment.

Utilities Connections Fees

The applicant has paid for all S.A.C. fees associated with this application.

Upon completion of this report all supporting documents will be submitted to the Minneapolis Police License Division for their review.