

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

License Number: L202-50035 **Police File Number:** F.13514

Date of Application: April 8, 2014

Inspector: Nicole Anderson

Applicant/Legal Entity: Betty Danger's Country Club, Inc.

DBA/Trade Name: Betty Danger's Country Club

Complete Address: 2501 Marshall Street Northeast, Mpls, MN 55418

Licenses Requested: On-Sale Liquor with Sunday Sales, Class C-2

Current License: None

Responsible person within 75 miles of Minneapolis City Hall: Leslie Bock

Public Hearing Requirement: Required

Neighborhood/Ward: Marshall Terrace/01

License Conditions: None

Zoning: C2/MR – This is a permitted use in the Neighborhood Corridor Commercial District/Mississippi River Critical Area Overlay

7 acre requirement: Met

Off-Street Parking: The Office of the Zoning Administrator has determined that 43 spaces are required to be provided on site.

Churches or schools within 300 feet of the proposed premises: No

Seating: Inside: 200 max, seasonal Outside: 198 seats

Fire Occupancy: Inside: 241 Maximum Capacity Outside: N/A

Certificate of Occupancy Required: Yes

Food Service Requirement: The applicant is within 500 feet of a residentially zoned district and is required to operate as a restaurant subject to the 60/40 ratio of food to alcohol sales. No more than 40% of gross annual sales may be from alcohol.

Hours of operation proposed: Inside: 10:00am to 1:30am, daily. Alcohol sales/service to cease at 1:00am.

Outside: 10:00am to 1:30am, daily. Alcohol sales/service to cease at 1:00am.

Golfing: 10:00am to 10:00pm Sunday-Thursday
10:00am to 12:00 midnight Friday-Saturday

Sky Patio: 10:00am to 10:00pm Sunday-Thursday
10:00am to 12:00 midnight Friday-Saturday

Metropolitan Council Service Availability Charges: 11 Net Charges

HISTORY OF LOCATION

A portion of this location previously operated as Psycho Suzi's Motor Lounge with an On-Sale Liquor with Sunday Sales, Class E license from 2003 until 2010. Another portion of this property housed the L & M Carwash. Previous to these uses the site was operated as an A&W Root Beer drive-in for many years.

APPLICANT

The applicant is Betty Danger's Country Club, Inc., doing business as Betty Danger's Country Club. It was incorporated under File Number 625132900021 under Chapter 302A on December 31, 2012. The applicant has provided documentation showing adequate, legal, and traceable funding for this venture. They have the required restriction on the transfer of shares and have the following shareholders and officers:

<u>Name</u>	<u>Date of Birth</u>	<u>Title</u>	<u>Ownership</u>
Leslie J. Bock	09/27/1966	Owner	100%

MANAGER

Betty Danger's Country Club has not currently selected a manager but will be submitting New Manager paperwork prior to the operation of the business. The selected manager will have extensive experience in restaurant and bar management. Leslie Bock, owner, has ten years' experience in the hospitality and alcohol service industry as owner and operator of Psycho Suzi's Motor Lounge in Northeast Minneapolis and Donny Dirk's in North Minneapolis. Ms. Bock carefully selects management-level staff with direct experience in the alcohol service industry. She also selects management based on experience working in a reputable, non-problematic (and busy) alcohol establishment.

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 the criminal background check. The Second Precinct of the Minneapolis Police Department has discussed security issues with the applicant.

PREMISES

The business will occupy the main street level at 2501 Marshall Street Southeast. The entire premises will occupy approximately 19,197 square feet. The interior seating area will consist of approximately 8,170 square feet and will consist of a maximum of 200 seats, which will be seasonally based; more customers inside during the colder months and less in the warmer months. Of the 200 maximum seats, 26 seats will be at a bar. The exterior seating area will consist of approximately 11,027 square feet and 198 total outdoor seating, which too will be seasonally based. This outdoor seating will be broken up with 74 seats in and around the mini putt-putt golf course area, 64 seats on the revolving "sky patio" and 60 seats in and around the revolving "sky patio" area. The rest of the establishment consists of a kitchen, coolers, storage areas and rest rooms. The licensed premises space is compact and contiguous. There are no undefined spaces.

BUSINESS PLAN/OPERATIONS

Betty Danger's Country Club will be a one of a kind, country club style restaurant, where manners are to be expected. The restaurant will feature appetizers, entrees, tacos, sandwiches, sides, and desserts ranging in price from \$3 to \$15.

Proposed business hours will be from 10:00am to 1:30am seven days per week. They are not seeking a 2am license. Betty Danger's expects their hours to be 11:00am - 1:00am. During the winter months, Betty Danger's may reduce the hours. Maximum hours of operation for the outside patio areas are the same as for the interior premises. Rotating sky patio dining and golfing will cease operations by 12:00 midnight (or sooner) on Friday and Saturday, and will cease by 10:00pm Sunday through Thursday; may occasionally be open later on holidays. Golfing, outdoor patios, and rotating sky patio dining will be seasonal, but an attempt will be made to operate the wheel for limited hours on weekends and holidays throughout the winter season, weather permitting. All alcohol sales and service will cease no later than 1:00am.

Betty Danger's is required to have a 60/40 food to alcohol sales ratio. All employees will complete yearly Alcohol Compliance Training. This training is currently being conducted by Alcohol Compliance Services. All patrons of Betty Danger's will be carded at the point of entry after 10:00pm and will be required to show proper id to gain entrance if they appear to be under 40 years of age; guests not at least 21 years of age, who are intoxicated, or are of questionable character will be denied entrance. Prior to 10:00pm, all servers and bartenders will be responsible for carding guests. All employees will undergo extensive training including, but not limited to: security policies and procedures via an employee handbook as well as verbal training, yearly alcohol awareness training via a recognized program by the City of Minneapolis, routine customer service training, mandatory meetings, new product knowledge training as new products are introduced, and continual company policy training. Staff will be expected to attend mandatory staff meetings which will occur no less than 3 times per year. New hires will receive a new

hire training packet and have an orientation with the training manager to go over all the training materials. New hires will be expected to show proficiency of policies and procedures prior to being scheduled a regular shift. New hires that serve or manage the service of alcohol will also be expected to have completed and show a certificate of completion of Alcohol Compliance Training by a recognized company before they can be scheduled to work a regular shift. They will then be reviewed after 90 days of employment where retraining will take place, if necessary. In the event they deem self-audits a useful or necessary tool, they will consider initiating such a program. Due to the extensive training and ongoing reinforcement of safe and legal alcohol sales and service policies, they will not utilize progressive discipline in the serving of minors or any other gross violation of company policy; however, in the event that any employee has served alcohol to a minor, the employee will be terminated immediately.

At Betty Danger's, the on-duty manager will function as the head of security and will also be responsible for compliance with all fire and building code matters, including occupancy levels. They will have 2 to 4 exclusive security employees, plus 1 or 2 managers, seasonally dependent, on duty after dark. They will hire additional security, based on size and type for special events, banquets, and private functions. The rotating patio will be monitored by no less than 3 staff members at any given time. During peak times, the wheel will be monitored by 5 staff members. The golf patio will have a separate security member. They will also cross-utilize bartenders, roaming staff members, and shift supervisors to serve as security personnel. Security staff will continually cycle around the premises, to include both the wheel and golf patios, as well as, the parking lot area.

Betty Danger's will control loitering and those who are not patrons of the establishment by asking them to vacate the premises politely, quietly, and immediately when it becomes apparent that they do not have the intention of becoming one of their guests. Security will complete regular exterior security rounds at least hourly. During regular security rounds and trash disposal, the entire premises will be checked for loitering and odd behavior. Those found loitering or engaged in illegal activity will be escorted off the premises or they will call the 2nd precinct for their removal, if necessary.

Betty Danger's will maintain a well-lit and clean parking lot and exterior. They plan to install several exterior security cameras. Cameras will be located at entrances, all patio areas-including the rotating sky patio, at the bar, in the parking lot, and other various locations. The building has many windows for easy viewing of all areas of the property. They will have digital security recording and a monitor available for management to view the entire premises. The entire outdoor patio will be enclosed with a see-through 6 foot tall fence.

Betty Danger's is applying for a Class "C-2" Liquor License which permits amplified or non-amplified music by three or fewer musicians, customer singing, ethnic dance in full costume, radio, television, jukebox or prerecorded music. Betty Danger's is proposing, as country club themed establishment, that their entertainment would consist of musicians, small live ensembles, and instrumental music related to the theme of the establishment. Their target demographic and clientele will most likely appeal to mature and civic-minded groups. Betty Danger's intends to cater to private parties, weddings and celebrations, meetings, art benefits, and charity events and may offer entertainment suitable of their guests needs with a larger

variety of styles and sounds. They will occasionally offer special events with live entertainment to the general public in keeping with their concept and or target market. They may occasionally offer other forms of live entertainment as allowed under a class C-2 liquor license. When offered, entertainment hours would be between the hours of 12:00 noon to 12:00 midnight. No live entertainment will be offered at or in the outdoor areas, including the revolving sky patio at any time, unless proper licensing has been acquired and approved for temporary expansion of entertainment. They will not have amusement devices on the premises.

Betty Danger's is situated with Marshall Street, the Lowry Bridge, and commercial businesses to the West, adjacent businesses to the North, an adjacent business and Lowry Avenue to the South with noise concerns primarily directed to the East where they are bordered by an alley and residential properties. In consideration of residential properties, they have oriented the business and all outdoor features and activities to the western side of the building (towards the commercial/industrial side). There will be a 6 foot solid wood fence along the residential alley to prevent sound and reduce foot traffic into the alley. Betty Danger's will regularly monitor noise in and around all of its outdoor areas and noise emanating beyond the interior premises. Any exterior speakers would be aimed away from residential areas. They believe soft ambient noise (both interior and exterior) actually reduces loud noise, so maximum hours of music will be until 12:45am. Due to the configuration of the site with the parking lot and parked cars surrounding the building to the East, and the main patio being on the commercial corner of Marshall and Lowry, they will reduce the ambient noise that could carry into the residential area to the East. There is no music or speakers of any kind associated with the revolving sky patio dining. Employees will address loud and unruly behavior from any patron in the outdoor areas and have removal procedures for unruly or disruptive patrons. The rotating sky patio will only be available to guests making a purchase for food and/or beverage (it is not a ride), it moves slowly, has a table in the center of it to prevent standing or moving, and will be supervised by many people. Guests acting impolite will be asked to behave or be removed. As it will be virtually impossible to get a hole in one on mini putt-putt golf course, they do not expect lots of cheering. Security, management, and Valet will monitor parking lot areas to ensure guests are not loitering and/or boisterous on their way out. Betty Danger's valet services will have in their contract that they are expected to monitor the parking lot and guests in their vicinity and report problematic behavior. Security and Valet will regularly inform exiting guests to have a safe evening and to respect neighborhood quiet hours. Security will escort potentially animated guests to vehicles to ensure quiet behavior, if necessary. Betty Danger's will participate in a sound review by City staff prior to opening to address speakers outdoors and how they are monitored or oriented and also on exterior features that can absorb sound. Betty Danger's will discourage patrons from arriving on party buses who tend to be more boisterous. Due to the fact that there is a bar across the street that does cater to party buses, they cannot prevent or know if guests arrived from a party bus. Betty Danger's will encourage safe transportation of larger groups by limos, buses, taxis, a non-alcohol shuttle bus, and various designated driver programs. This will reduce the number of patrons in individual cars and reduce vehicular and associated noise, traffic, and parking issues. All noise-related complaints and concerns will be handled by the general manager, or in their absence, the shift manager on duty.

Betty Danger's is committed to being a proactive business partner and good neighbor. Their relationship with the 2nd precinct is positive and they intend to attend neighborhood meetings and stay involved in the neighborhood as much as possible.

PUBLIC HEARING SUMMARY

103 notices were mailed to property owners and residents within 600 feet of the main door of the establishment on April 25, 2014 and emailed to Council Member Reich, Council Member Frey, the Bottineau Neighborhood Association, the Marshall Terrace Neighborhood, and the Northeast Business Association. Also, 2 multi-dwelling buildings were posted. The public hearing will be held on May 6, 2014 at the River Village East Community Room. A recommendation will be made after consideration of public hearing comments.

LICENSE CONDITIONS

None at this time

