

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

**License Number:** L210-50244 & L161-50517 **Police File Number:** F.13580

**Date of Application:** August 28, 2014

**Inspector:** Nicole Anderson

**Applicant/Legal Entity:** The After Midnight Group IX, LLC

**DBA/Trade Name:** Sally's Saloon & Eatery

**Complete Address:** 700 Washington Ave SE, Minneapolis, MN 55414

**Licenses Requested:** On-Sale Liquor w/ Sunday Sales, Class B, Sidewalk Café,  
and 2 AM

**Current License:** None

**Responsible person within 75 miles of Minneapolis City Hall:** Brian Asmus

**Public Hearing Requirement:** Not required

**Neighborhood/Ward:** University of Minnesota Neighborhood/02

**License Conditions:** None

**Zoning:** C3A/MR/PO/UA – This is a permitted use in the  
Community Activity Center District/Mississippi River  
Critical Area Overlay/Pedestrian Oriented Overlay  
District/University Area Overlay District.

**7 acre requirement:** Met

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

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

**Seating:** Inside: 152 Seats                      Sidewalk Café: 69  
Outdoor patio: 36

**Fire Occupancy:** Inside: 317

Max Capacity Outside: 69 on Sidewalk Café; 45 on outside private patio.

**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: 11:00am to 2:00am , 7 days a week  
Outside: 11:00am to 2:00am, 7 days a week  
\*\* May open earlier on days when there are scheduled games at TCF Bank Stadium. Outdoor hours are weather permitting.

**Metropolitan Council Service Availability Charges:** Twenty-six SAC charges. The SAC charges were paid by the developer on September 9, 2014.

**HISTORY OF LOCATION**

This location has operated an On-Sale Liquor with Sunday Sales, Class B license since 1984. Previous licensees at this location were Ragtime Tavern from 1984 until 1992 and Sally’s Saloon & Eatery from 1992 until July 2013. In 2013 the establishment was demolished due to development in the area; it is currently being reconstructed as new with student housing atop the establishment.

**APPLICANT**

The applicant is The After Midnight Group IX, LLC, DBA, Sally’s Saloon & Eatery. It was incorporated under Chapter 322B (File 761801400021) on May 19, 2014. 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:

<b><u>Name</u></b>	<b><u>Title</u></b>	<b><u>Ownership</u></b>
Christopher Diebold	President	33 1/3
Anne Loff	Vice President	33 1/3
Brian Asmus	Vice President	33 1/3

**MANAGER**

Sally’s Saloon will be managed by Brian Asmus. Mr. Asmus has worked in the alcohol service industry since 1999 and has passed the criminal background check.

**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**

Sally's Saloon & Eatery will be a full service, sit-down restaurant. The business will occupy the main street level building at 700 Washington Avenue Southeast. The entire premises occupy approximately 7,560 square feet with an outdoor patio area consisting of approximately 885 square feet. The fire code occupancy is 317. The interior seating will consist of 152 seats, with 33 of those seats being counter seating and the remaining bench and table seating. The outdoor area will consist of a sidewalk café with seating for 69 persons and an outdoor patio area on private property will lounge like seating for approximately 36 persons and customer capacity in this area is 45 persons. This number will be maintained by security staff so that over occupancy does not occur. 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**

All employees will be required to undergo alcohol compliance training annually offered by Bob Pomplum of Loss Control Services. It is Sally's policy to card all patrons who appear to be under the age of 40. Staff who serve to a minor will be immediately terminated and any staff that passes a police sting will be compensated. The restaurant will serve a variety of appetizers, salads, soups, entrees, desserts and beverages. The applicant indicates that Sally's will be open 11:00 a.m. to 2:00 a.m. seven days a week. It may open earlier on U of M game days to accommodate fans attending events at the TCF bank Stadium. Sidewalk Café and outdoor patio hours are weather permitting, but will generally run the same hours as the business. The applicant is applying for a Class B license, which allows entertainment in the form of live music and singing without limitation as to the number of musicians, singers, or the type of amplification. The applicant indicates it plans to offer prerecorded music and televised games. Occasional live music may be offered indoors only. Dancing and singing by patrons and a disc jockey are permitted; stage shows, skits, vaudeville, theater, contests, dancing by employees or agents of the licensee, and patron participation are prohibited. The applicant's business plan indicates that outside speakers will be positioned towards the building and all the volume level will be turned down at 11:00 PM. All patrons will be given a last call 20 minutes before closing time. Lights will be turned on and music will be turned off 10 minutes before closing time. Last guests will be seated 30 minutes before closing time in the outdoor patio or sidewalk café. All guests will be reminded as they leave to be respectful. Any guests that need help or escorts to a car or cab will be handled by security staff. All staff is expected to fully understand the noise policy and their role in complying with it. All excessive noise or noise complaints will be resolved promptly by researching the source of the noise and working to reduce all future noise issues. To ensure that noise is minimized the applicant will utilize the City of Minneapolis Environmental Services to ensure that noise issues will be kept to a minimum. Security personnel and staff will be responsible for litter cleanup as warranted and at closing. There will be five mechanical amusement devices located inside for patron use. The applicant indicates that at the present time it has no intent to offer charitable gambling activities or sponsor competitive sports teams.

## **RECOMMENDATION**

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Liquor with Sunday Sales, Class B license, Sidewalk Café license, and 2 AM license.

**LICENSE CONDITIONS**

None

