

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

**License Number:** L196-50292

**Police File Number:** F13827

**Date of Application:** April 1, 2016

**Inspector:** Julie Casey

**Applicant/Legal Entity:** Up Down Minneapolis, Inc.

**DBA/Trade Name:** Up- Down

**Complete Address:** 3012 Lyndale Avenue South  
Minneapolis, MN 55408

**Responsible person within 75 miles of Minneapolis City Hall:** Peter Barlean

**License(s) Requested:** On Sale Liquor with Sunday Sales Class E  
Place of Amusement

**Current License at Location:** This location is vacant.

**License History of Location:** This location was previously Defiant Tattoo.  
Defiant Tattoo had tobacco, tattoo, and food  
manufacturer's licenses.

**Purpose of Application:** The applicant is applying for a full liquor license to operate  
a restaurant with video games for entertainment.

**Public Hearing Required:** A public hearing is required since this location has never  
had an alcohol license.

**Neighborhood/Ward:** CARAG/Ward 10

**Zoning:** C3A

**7 Acre Requirement:** Met

**Off-Street Parking:** 13 off street parking spaces are required. Purchased  
parking credit through Public Works.

**Seating:** Interior: 158 Exterior: 188

Total Square feet: 5272 ground level and 1446 roof top  
Bar area (stage, dance floor, entertainment area): 30%

**Fire Occupancy:** Interior: 283 Maximum Capacity of Exterior: 188

**Food Service Requirement:** Full Restaurant required  
Health Risk: One

**Alcohol Server Training:** Alcohol Compliance Services

**Hours of Operation Proposed:** Interior: 3 p.m. to 2:30 a.m.  
Exterior: 3 p.m. to 2:30 a.m.  
Hours of Food Service: 3 p.m. to 1:00 a.m.  
Reduced Menu Hours: 10:00 p.m. to 1:00 a.m.

**Metropolitan Council Service Availability Charges:** 19 SAC has been paid.

### **Applicant**

The applicant is Up Down Minneapolis, Inc. is a registered State of Minnesota corporation under Minnesota Statute 303. The applicant has provided documentation showing adequate, legal, and traceable funding for this venture. They have the required stock restriction on the transfer of shares.

<b>Name</b>	<b>Title</b>	<b>Shares</b>
Joshua Ivey	President, Secretary	100 shares
Rafer Mateer	Vice President	100 shares
Samuel Summers	Treasurer	100 shares

### **Manager**

Peter Barlean will be the manager of Up-Down. Mr. Balean managed the Up-Down Des Moines, Iowa location from September 2013 to the present.

### **Police review**

The Minneapolis Police License Division and the 5<sup>th</sup> Precinct Police staff have reviewed the application for the financial, criminal and security plans for the establishment. They have determined that the application meets the minimum ordinance requirements.

### **Premises**

The premises will be located at 3012 Lyndale Avenue South. It is a one story building that will have a second story added to accommodate an interior bar area and roof top deck. They will have indoor seating for 158 and exterior seating for 188. There will be outdoor patio areas in the court yard on the front of the building and a second area in the rear.

### **Business Plan/Operations**

Up-Down is a national corporation with locations in Kansas City, Mo and Des Moines, IA. Up-Down will be a nostalgia themed restaurant with homage paid to the 1980's and 1990's. They will offer a menu of pizzas and sandwiches. There will be an arcade with games focused on multiple player games. Up-Down plans to restrict their patrons to persons over the age of 21 after 8:00 pm unless there is a private party, televised event or a corporate get together when 18-20 year olds will be allowed to attend. An extensive security plan was submitted with the business plan. The premises will be monitored by security cameras and staff trained in security issues. Security personnel will wear shirts identifying them as security. Up-Down has applied for a Class E license and does not plan on any live music.

There will be outdoor speakers located in the outdoor ground level patios. These speakers will be set to project sound down. The rooftop patio was designed to block sound from the neighboring apartments located above the Smitten Kitchen and Caffrey's.

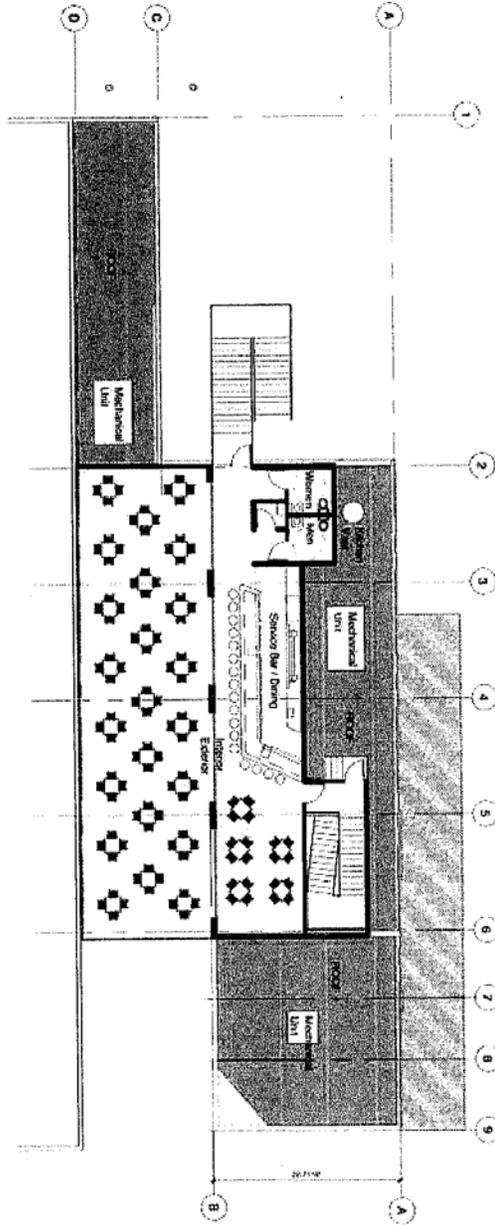
### **Public Hearing Summary**

A public hearing was held on Thursday, May 5, 2016 at the Bryant Square Recreation Center. Notices were sent to residents and property owners within 600 feet of the premises. Notices have also been sent to Council Members Bender and Glidden, CARAG, Lyndale and Lowry Hill neighborhood groups, Lyn-Lake Business Association and the Lake Street Council. Prior to the public hearing, the property owner 3008 Lyndale Avenue South expressed specific concern about the rooftop patio being located so close to the apartments in his building. Council Member Bender's office staff, the license applicant and the property owner of 3008 Lyndale met the week before the hearing to discuss the rooftop patio design. The property at 3008 Lyndale Avenue South was satisfied that his property would not be adversely affected by the rooftop patio. He also agreed to allow three speakers on the rooftop patio and the patio be allowed to be open to the 2:00 a.m. closing. At the public meeting, ten people attended. All ten people were in support of granting business licenses to the applicant.

### **RECOMMENDATION**

The Licenses and Consumer Services Division recommends approval of an On Sale Liquor with Sunday Sales, Class E and a Place of Amusement Licenses.

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**INTERIOR:**  
 1. Gross Interior Area: 1,446 GSF  
 Total Dining Area: 688 NSF  
 (Non-Accessible Seating)  
 Seating Offered: 37  
 Table Seating: 20  
 Bar Service Dining: 17  
 Bar Area: 0

Dining Occupant Load: 46

**EXTERIOR:**  
 1. Patios: 1481 NSF  
 Seating Offered: 92

**1**  
 Second Level Plan  
 3/64" = 1'-0"

Job. No. : 2015019 Date: 15 FEB 2016

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Contact: Stephen Knowles, AIA (612.644.9367) stephen@p-o-d.us  
 227 Colfax Avenue North, Suite 205 Minneapolis, MN

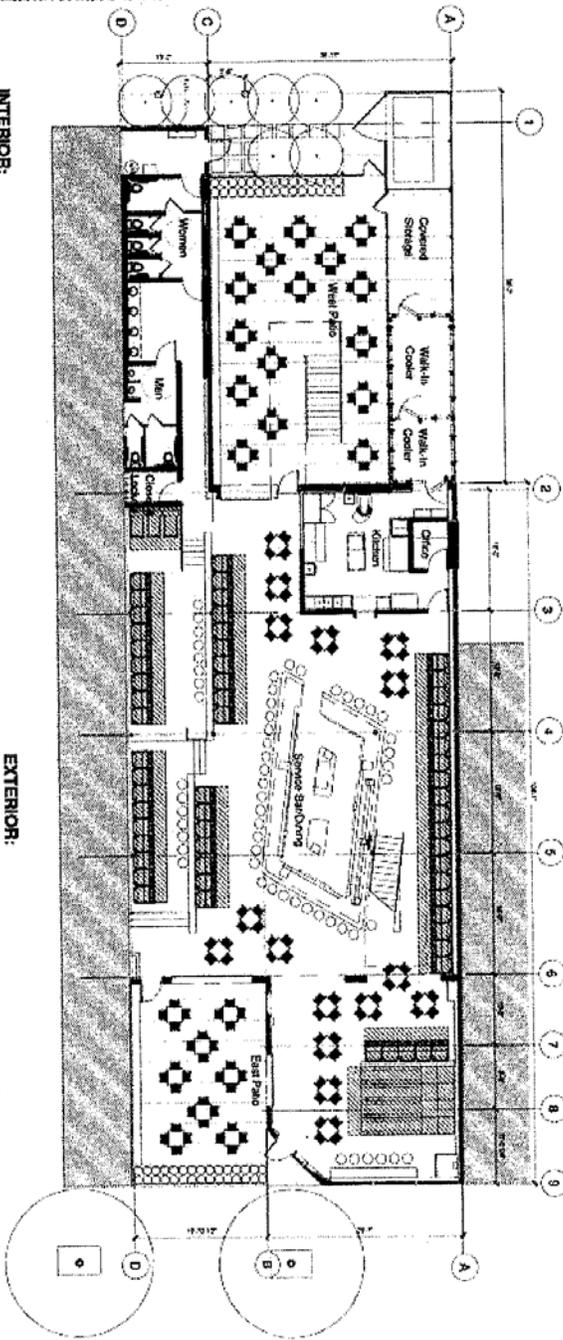
**Up Down Minneapolis**  
 Restaurant & Bar

Owner Contact: Josh Ivey (319)530-0289 josh@woolysdism.com  
 3012 Lyndale Avenue S, Minneapolis, Minnesota 55408

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SD1.2

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**INTERIOR:**

1. Gross Area: 5,272 Sq. Feet
2. Dining Sq. Feet: 3,555 Net Square Feet
3. Games & Bar Area: 737.5 SF = 59 x 12.5 SF (game average)
4. Dining Occupant Load: 237 (See Code Review Document)

**EXTERIOR:**

1. Patios: Exterior Licensed Area 1,782 Sq. Feet
- Seating Offered: 96 Seats - All Accessible

**1 Main Level Plan**  
 3/64" = 1'-0"

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