

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

**License Numbers:** L210-50302 and L161-50581

**Police File Number:** 13890

**Date of Application:** September 20, 2016

**Inspector:** Michele Harvet, 612-673-5484

**Applicant/Legal Entity:** Mercury Dining Room and Rail, LLC

**DBA/Trade Name:** Mercury Dining Room & Shindig Events Center

**Complete Address:** 505 Marquette Avenue, Minneapolis, MN 55402

**Licenses Requested:** On-Sale Liquor with Sunday Sales, Class B and Sidewalk Cafe

**Current License at Location:** None

**License History of Location:** Brasserie Zentral operated there with an On-Sale Liquor with Sunday Sales, Class E for two years and a sidewalk café license.

**Purpose of Application:** To obtain a new On-Sale Liquor with Sunday Sales, Class B license.

**Responsible person within 75 miles of Minneapolis City Hall:** Arlene Ashbach

**Public Hearing Required:** Required

**Neighborhood/Ward:** Downtown West / 7

**Zoning:** B4-2/DP - This is a permitted use in the Downtown Business and Downtown Parking Overlay Districts.

**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.

**Seating:** Inside: 295                      Outside: 18

**Fire Occupancy:** Inside: 415                      Maximum Capacity: 18

**Hours of Operation:** 6:00 AM - 2:00 AM Monday through Sunday

**Food Service Requirement:** This establishment meets the minimum food service requirements set forth in MCO 360.65.

**Alcohol Server Training:** Training will be provided by Alcohol Liability Education (ALE).

**Metropolitan Council Service Availability Charges:** In a SAC determination letter dated July 29, 2016, it was determined that zero SAC units are required for this project.

**Applicant**

The applicant is Mercury Dining Room and Rail, LLC, a Minnesota company, formed on June 14, 2016, under Chapter 322C (File Number 892078500029), having the required restriction on the transfer of shares, and has the following owners:

<b><u>Name</u></b>	<b><u>DOB</u></b>	<b><u>Title</u></b>	<b><u>Shares</u></b>
David Burley	11/9/66	CEO/Owner	50%
Stephanie Shimp	11/23/70	President/Owner	50%

The applicants have extensive experience in owning and operating restaurants and liquor establishments, including Longfellow Grill, The Lowry and The Freehouse since as early as 2005. They meet all minimum requirements including criminal background check.

**Manager**

The manager will be Arlene Ashbach. Ms. Ashbach has had at least 5 years of experience in the food and alcohol service industry.

**Premises**

**Interior**

The proposed premises contain 14, 821 gross square feet on two portions of the first floor and a basement area of the Soo Line Building. The first floor areas have approximately 8,643 square feet of total licensed premises space. There will be interior seating for 295 patrons at tables, booths and three bars. There is a kitchen, coolers, storage and breakroom on the basement level. There are two licensed premises spaces on the first floor of this establishment. They are made compact and contiguous through the basement level, which is connected to each space, via stairwell and elevator, on each side, on the first floor.

**Exterior**

There will be seating on the public sidewalk on the Marquette Avenue side of the establishment and on the 5<sup>th</sup> Street side of the establishment. These areas were previously approved licensed premises.

**Business Plan/Operations**

Prior to working and or serving any alcohol at Mercury Dining Room & Shindig Events Center, all staff will attend an alcohol server training class offered by Alcohol Liability Education. All staff are required to attend a yearly ALE training. All employees receive an employee handbook regarding alcohol service and company policies. Each employee will receive a summary of the laws regarding alcohol service as part of their training. Every customer that appears under 35 years of age must present a legal photo identification card to prevent service to person under 21 years of age. Self-audits may be

done from time to time. Staff that sell to a minor, fail a police sting, or fail a company audit on youth alcohol access will be terminated.

Although noise is not anticipated to be a problem because of their business model, all noise complaints will be followed up by management. They plan to abide by the quiet hours posted in the Soo Line Building, which start at 9:00pm. They have sprayed the ceiling with insulation to minimize excess noise. All speakers are strategically placed and aimed down to minimize blasting and provide a more uniform sound.

The Soo Line Building has on-site security and monitoring systems. The manager on duty will monitor security issues and loitering issues and alert building security if needed.

Menu items include meatballs, roast vegetable crudité, pan fired noodle soup, smoked chicken steam buns, salads, sandwiches, trout, steak, pot roast, stroganoff, tortelli, glazed pork ribs, steelhead, pork chops and more.

Entertainment will be provided in the form of prerecorded background music, live music or DJ up to what is authorized by Class B. It will depend on the request of customers holding events there.

Litter will be removed at all hours they are open on a daily basis on and within 100 feet of the premises.

There will be no sports sponsorships or charitable gambling.

### **License Conditions**

None at this time.

### **Public Hearing Summary**

A public hearing is required for this license application. xx notices were mailed to residents and property owners within 450 feet of the premises on September xx, 2016. A public hearing notice was emailed to Council Member Goodman, the Downtown Minneapolis Neighborhood Association and the Warehouse District Business Association on September xx, 2016. The public hearing will be held on October 11, 2016, at the Community Development & Regulatory Services Committee meeting.

### **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 criminal background check. The applicant has also undergone a security review with the First Precinct of the Minneapolis Police Department.

### **Recommendation**

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

### **Sidewalk Café Diagram**

See next page.

