

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT
Extended Hours License
L317-xxxxx**

Purpose of Application: A Slice of New York Pizza is requesting to extend their business's hours of operation to the following:

Sunday - Thursday, to operate until 1:00 a.m.
Friday - Saturday, to operate until 4:00 a.m.

Applicant's Name (Legal Entity): G & H Restaurant, Inc.

DBA/Trade Name: A Slice of New York Pizza

Complete Address: 2407 Nicollet Avenue, Minneapolis, MN 55404

Telephone Number: 612-871-4334

Current License: The applicant has held a Food Manufacturer License at this location since 1993.

Zoning: C1 Neighborhood Commercial District

Current Authorized Hours: Sunday - Thursday, from 6:00 a.m. to 10:00 p.m.
Friday - Saturday, from 6:00 a.m. to 11:00 p.m.

Neighborhood/Ward: Whittier/6

Date of Application: April 22, 2011

Inspector: Michele Olds, 612-673-5484

Public Hearing Requirement: A public hearing is required for this license application. 37 notices were mailed to residents and property owners within 300 feet of the premises, and emailed to the Whittier Alliance and Nicollet Avenue Business Association on April 25, 2011. The public hearing will be held on May 16, 2011 at the Regulatory, Energy and Environment Committee meeting.

Background: The applicant proposes to extend the hours of operation for their sit-down restaurant and for take-out service. The restaurant does not serve alcoholic beverages. The applicant has been operating with late night hours for a period of time without complaints. A License Inspector observed the late night operations and ordered the licensee to come into compliance with the allowed hours of operation. The licensee has been looking into obtaining a Conditional Use Permit for extended hours and then applied for this license after the transfer of authority went to Licenses and Consumer Services from Community Planning and Economic Development.

Findings as Required by the Minneapolis Licensing Code:

The Licenses and Consumer Services Division has analyzed the application and concludes that the application has answered the following:

A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized:

There is a manager or supervisor on duty until close each night. Any unruly customers will be escorted off the premises. There has not been a history of loitering at the restaurant. Any illegal activity would be addressed by staff and if escalated, they would contact the proper authority. There are security cameras on the inside of the restaurant. There is sufficient lighting in front of and behind the establishment.

Fifth Precinct Police Department added requirements for the licensee as follows: The licensee shall provide sufficient staff devoted exclusively to security-related duties to protect the well-being and safety of patrons, employees and the general public. The security staff shall be distinctly clothed to make their appearance and function easily recognizable. The licensee shall designate an employee as head of the security staff. The designated employee may be the on-site manager. The licensee shall provide a plan that discusses how they will prevent over occupancy of their establishment. The licensee shall provide a mobile phone number to the appropriate Police Precinct for prompt communication in the event of a disturbance. Security staff shall be utilized to ensure that patrons who have exited the premises and others do not loiter on the public sidewalk or the licensee's parking areas. The licensee shall compile, maintain and enforce a "do not admit" list to prevent reoccurrence of disturbances by known persons. This list shall be shared with Minneapolis Regulatory Services and the Minneapolis Police Department upon request. Upon request, the licensee shall meet representatives of the City of Minneapolis to discuss any safety, security or operational concerns.

Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise:

Staff will remove litter between 2:00pm and 3:00pm daily. Then again between 7:00pm and 8:00pm. A final litter check will be done one half hour after closing each night. There has not been a history of noise issues at this establishment. If there are, management will make sure that the noise level is kept to a minimum.

Description of how the business will have people exit the establishment at closing time and during an emergency that requires all people to exit the establishment quickly:

There is a front door and a back door in the establishment in case of emergency. Staff let customers know that they are closing and need to leave soon at least ten minutes in advance of closing.

Such other reasonable and pertinent information as the city council may require:

Staff meetings will be held to update staff on changes in policies, procedures and incident updates. They will evaluate their security plan twice a year.

Proximity to permitted or conditional residential uses.

Nature of the business and its impacts of noise, light and traffic.

There is residentially zoned district directly behind this establishment.

Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area and specific development standards.

The existing business is categorized as a sit-down restaurant which is a permitted use in the C1 district.

History of complaints related to the use.

There are no significant police calls for service at this location. Licenses and Consumer Services records show that there have been violations related to operating outside the allowed hours of operation and operating with more than the 12 allowed seats for this license type. Licenses and Consumer Services has not received complaints regarding noise or unruly customer issues.

RECOMMENDATIONS (pending public hearing):

The Licenses and Consumer Services Division make the following recommendation regarding this application to extend hours:

Grant the license applicant the following Extended Hours:

Sunday - Thursday, no earlier than 6:00 a.m. to operate until 1:00 a.m.

Friday - Saturday, no earlier than 6:00 a.m. to operate until 2:00 a.m.

This establishment abuts a residential district. This is an annually reviewed license. These hours will be reviewed at the next license renewal period. It may be possible to extend the hours further, as requested in this original application, if there are no violations related to the Extended Hours License.