

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT
Extended Hours License
L317-50086**

Purpose of Application: Frank from Philly is requesting to extend their business hours of operation to the following:

Monday through Thursday until 2:30 am
Friday and Saturday until 3:00 am
Sunday until Midnight

Applicant's Name (Legal Entity): Frank from Philly, LLC.

DBA/Trade Name: Frank from Philly

Complete Address: 1235 4th Street SE, Minneapolis, MN 55414

Telephone Number: 612-208-1973

Current License: Restaurant

Zoning: OR-3 Institutional Office Residence
District, University Area Overlay

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

Neighborhood/Ward: Marcy Holmes / 3

Date of Application: June 20, 2016

Inspector: Phil Schliesman, 612-673-3907

License Conditions: None

Public Hearing Requirement: A public hearing is required for this license application. Sixty-eight (68) notices were mailed to residents and property owners within 300 feet of the premises. The notice was e-mailed to the Dinkytown Business Alliance and the Marcy-Holmes Neighborhood Association on August 18, 2016. The public hearing will be held on September 13, 2016, at the Community Development & Regulatory Services Committee meeting.

Background:

The applicant holds a Restaurant license and will operate this license in conjunction with the Extended Hours license. The applicant has held a restaurant license at this location since February 2016.

The applicant proposes to extend the closing hours of operation for food service Monday through Thursday until 2:30 am; Friday and Saturday until 3:00 am and Sunday until Midnight.

The applicant contacted the Dinkytown Business Alliance, Marcy Holmes Neighborhood Association, and Council Member Jacob Frey's Office regarding this application.

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:

The applicant will operate their Restaurant license with Extended Hours using the existing security model which includes a 5 camera security system, full time security company guards, and on site staffing by employees. Management personnel will be on site during all hours of operation. The security guards and applicant employees will follow a strict protocol and report any incidents to the manager. If needed during any disturbance, staff has been trained to call police.

Inspector Kathy Waite of the 2th Police Precinct (now 5th Precinct) has reviewed the application and met the applicant's representatives in person to discuss security issues.

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

As a part of every shift's duties, the restaurant and surrounding 100 foot area outside is kept free of litter and looking clean. Indoor speakers with audio from television sets will be played as background noise only and pointed downward to minimize noise. The volume will be kept at a level to overcome the ventilation system but quiet enough so there are no noise complaints from tenants residing above. Sound deadening materials have been installed in the ceiling. To ensure no noise complaints are received, only staff is allowed to control the volume which is controlled by a speaker control knob in a locked office and is to never exceed 50%. There are no outdoor speakers.

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:

The on duty manager, security guards and staff will ensure the orderly exit of patrons.

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

Upon request, the licensee shall meet representatives of the City of Minneapolis to discuss any safety, security or operational concerns.

Proximity to permitted or conditional residential uses.

The applicant occupies the ground floor of a multiuse building.

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

Noise will be kept to a minimum by security personnel and staff ensuring any unruly patron is asked to leave in a timely fashion and no one will be allowed to loiter in the area. Noise from patrons will be minimized as they will not be allowed to congregate in the area. No parking area exists, which would allow for additional noise. There are no outdoor and no entertainment style lights. Any noise complaint will be entered into a nightly log, and a manager shall discuss with the owners the most efficient means to remedy the matter. Should a complaint come from a neighbor, the ownership will reach out to the complainant to discuss a solution.

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

The business is categorized as a restaurant, which has been a permitted use in the OR3/UA district. The gross floor area is less than 2000 square feet.

History of complaints related to the use.

Two complaints were reported of unwanted persons coming from a neighboring bar who were removed from the premises. There have been no noise related complaints.

RECOMMENDATION (pending public hearing):

Council Member Jacob Frey's office has no objections to this application.

If approved, the license applicant will be granted to operate within the following Extended Hours:

Monday through Thursday until 2:30am
Friday and Saturday until 3:00am
Sunday until Midnight

This is an annually reviewed license. It will be possible to restrict the hours further if there are violations related to the Extended Hours License.