

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

License Numbers: L247-50425 & L161-50486 **Police File Number:** 13462

Date of Application: November 26, 2013

Inspector: Nicole Anderson

Applicant/Legal Entity: Pizza Operators Inc.

DBA/Trade Name: Parkway Pizza

Complete Address: 2851 Johnson Street NE
Minneapolis, MN 55418

Licenses Requested: On-Sale Wine with Strong Beer, Class E and Sidewalk
Café with 16 Seats

Current License: Restaurant

Purpose of Application: To obtain a new On-Sale Wine with Strong Beer License
and Sidewalk Café License

Responsible person within 75 miles of Minneapolis City Hall: Sam Nestingen

Public Hearing Required: No

License Conditions: None at this time.

Neighborhood/Ward: Audubon Park / 1

Zoning: C1 – This is a permitted use in the Neighborhood
Commercial District

7 acre requirement: Not met. This parcel is not contiguous with seven acres
of commercial zoning and may be authorized per
Charter Amendment 144.

Off-Street Parking: The Office of the Zoning Administrator has determined
that 4 spaces are required to be provided on site. This
requirement has been met with an existing parking lot
behind this establishment.

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

Seating: Inside: 40 Seats Outside: 16
Fire Occupancy: Inside: 46 Maximum Capacity Outside: 16

Food Service Requirement: This establishment may be licensed per Charter Amendment 144 and is required to operate as a restaurant subject to the 70/30 ratio of food to alcohol sales. No more than 30% of gross annual sales may be from alcohol.

Hours of operation proposed: 11:00 a.m. to 10:00 p.m. Sunday – Thursday
11:00 a.m. to 11:00 p.m. Friday-Saturday
Sidewalk Café hours: 11:00 a.m. to 10:00 p.m. daily

Metropolitan Council Service Availability Charges: A SAC determination advised that zero SAC units are due for this business.

HISTORY OF LOCATION

This location has operated with a Food Restaurant license from 2005 to 2010. Amici Pizza & Bistro operated at this location with an On-Sale Wine with Strong Beer, Class E License from April, 2010 until February, 2012 and Nuff operated at this location with an On-Sale Wine with Strong Beer, Class E license from September, 2012 until September, 2013.

APPLICANT

The applicant is Pizza Operators Inc.; a Minnesota corporation, formed on September 9, 2013, under Chapter 302A (Charter Number 699003900023) having the required restriction on the transfer of shares and has the following owner:

<u>Name</u>	<u>DOB</u>	<u>Title</u>	<u>Shares</u>
Samuel Nestingen	8/1/83	CEO	60%
Chad Fredericksen	6/23/83	CFO	40%

The applicants have experience in operating a restaurant with an on-sale wine license. They meet all minimum requirements including criminal and financial background checks.

MANAGER

The manager at Parkway Pizza will be the owner, Sam Nestingen. Mr. Nestingen has operated the Parkway Pizza in South Minneapolis since 2006 and also was a manager at Lake Harriet Pizza from 2001 until 2006.

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

The premises are on the main floor at street level with approximately 2656 square feet. The dining area has approximately 700 square feet with booth and table seating for 40 people. The rest of the establishment consists of a kitchen, coolers and storage. The men's and women's rest rooms are on the main floor of this establishment, as well. This space is compact and contiguous. There is no bar or bar area. This would not be allowed in an establishment licensed under the Charter provision. There is a basement area with storage, an office and an employee restroom. The basement will not be considered licensed premises. There are no undefined spaces.

SIDEWALK CAFE

The sidewalk cafe will be in front of the restaurant facing Johnson Street. It will have four tables that seat two people and two tables that seat four people. It will be outlined by planters. The hours of operation for the sidewalk café will be 11:00 a.m. until 10:00 p.m. daily.

BUSINESS PLAN/OPERATIONS

All servers will read and sign an employee alcohol service agreement. Servers will ask for identification from all patrons that appear under 40 years of age. Servers will monitor the amount of alcohol each guest is consuming in order to prevent over serving and intoxicated guests. Because the restaurant is located in a commercial area of less than 7 acres, it must operate as a restaurant subject to the 70/30 ratio of food to alcohol sales; food must be ordered before any beverage alcohol is ordered and the premises may not contain any bar area. No bar area is planned in the premises.

The restaurant will post "Born Before this date" calendars by point of sale systems and beer coolers for quick reference. They will discuss alcohol awareness at their quarterly employee meetings and monthly at their manager meetings.

They will perform quarterly self-audits as needed. Employees will be rewarded for passing a youth alcohol compliance check by way of gift cards. If a server fails a compliance check they will be terminated.

All staff will act as security for the establishment. They will be responsible for maintaining the safety of guests and the prevention of illegal activities on the premises. They will call for police assistance if someone they have asked to leave does not leave. They will work with the local precinct on setting up a no admittance list, if necessary.

Entertainment will be provided in the form of background music (prerecorded or radio) and television.

The menu will feature a wide range of appetizers, salads, crostini, cheese plates, sandwiches, pizza, crepes, a kids' menu, and soups changing daily, entrees, breakfast items, deserts, non-alcoholic beverages, wine, and strong beer.

The applicant's proposed operating hours for the inside will be Sunday through Thursday 11:00 a.m. to 10:00 p.m. and Friday and Saturday 11:00 a.m. until 11:00 p.m. The hours for the patio will be from 11:00 a.m. to 10:00 p.m. Sunday through Thursday and from 11:00 a.m. to 11:00 p.m. Friday and Saturday.

All litter and trash will be removed from a 100 feet radius of the premises on a daily basis.

Noise is not anticipated to be a problem since because of the nature of their business and clientele they plan to continue to attract. They will work with their patrons to ensure that they keep the noise down on the sidewalk cafe. They will not have any music outside. If there are noise complaints, they will address the complaint in a respectful manner.

There are no mechanical amusement devices. No charitable gambling or sports team sponsorships are anticipated at this time.

PUBLIC HEARING SUMMARY

A public hearing is not required for these license applications.

RECOMMENDATION

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Wine with Strong Beer, Class E License and a Sidewalk Café License.

LICENSE CONDITIONS

None at this time.