

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

**LICENSE NUMBER: L180-50189  
POLICE FILE NUMBER: 13547**

**DATE OF APPLICATION:** June 12, 2014

**IINSPECTOR:** Phil Schliesman, 612-673-3907

**APPLICANT/LEGAL ENTITY:** Bright Red Group, LLC

**DBA/TRADE NAME:** Smack Shack

**CCOMplete ADDRESS:** 603 Washington Avenue North

**LICENSE REQUESTED:** Expansion of Premises

**CURRENT LICENSE:** On-Sale Liquor with Sunday Sales, Class B

**PURPOSE OF APPLICATION:** To expand the outdoor seating area

**Responsible person within 75 miles of Minneapolis City Hall:** Josh Thoma

**PUBLIC HEARING REQUIREMENT:** Yes

**LICENSE CONDITIONS:** Not at this time

**NIEGHBORHOOD/WARD:** North Loop / 3

**ZONING:** B4N/DP – This is a permitted use in the Downtown Neighborhood District/Downtown Parking Overlay District

**7 ACRE REQUIREMENT:** Met

**OFF-STREET PARKING:** The office of the Zoning Administrator has determined that no parking spaces are required to be provided on site.

**Churches or schools within 300 feet of the proposed premises:** N/A

**PROPOSED SEATING:** The current outside seating is 72. The applicant is proposing to add 50 more seats for a total of 112. The maximum capacity will be 144.

**HOURS OF OPERATION:**

Inside: 11:00 A.M. to 1:00 A.M. Sunday-Thursday  
11:00 A.M. to 2:00 A.M. Friday and Saturday  
Outside: Same  
Outside speakers are turned off by Midnight  
nightly.

**Metropolitan Council Service Availability Charges: Paid.** There is no change in the SAC requirements as the applicant paid for 1438 square feet of outdoor seating and the entire outside area, including the requested expansion, is approximately 1300 square feet.

**HISTORY OF LOCATION**

Smack Shack has operated with an On-Sale Liquor License with Sunday Sales, at this location since January, 2013.

**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.

The Police Security Review was completed on February 17<sup>th</sup>, 2014 and signed off by Lt. Don Harris. In addition to the applicant's current security plans, the following two items have been recommended by the Minneapolis Police Department:

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 mobile phone number to the appropriate Police Precinct for prompt communication in the event of a disturbance.

The applicant has added the two above items to their security plan.

**BUSINESS PLAN/OPERATIONS**

The business plan submitted is essentially unchanged, adding that the newly expanded area will be used and serviced exactly the same as the current outdoor seating area. The applicant will be adding 40 seats at 20 two top tables near the entrance to the adjoining alley. They will also add 6 high top tables on the Washington Avenue end of the cafe.

**Noise Management/Noise Abatement Plan**

Based upon the establishment will operate as a full service restaurant, their location along a major roadway, the placement of the building abutting another larger building, and the typical and expected clientele, the applicant anticipates noise concerns will be minimal.

As part of their operational duties, staff will regularly monitor noise emanating beyond the interior premises and from the licensed outdoor area. The applicant will continue to turn off the outdoor speakers by Midnight, every night.

Management personnel and employees will ask and remind patrons to reduce the volume of conversation when leaving the premises. When needed, management will reduce the volume of any music offered upon any type of complaint.

Noise mitigation measures to be employed include: training employees to address loud or unruly behavior from any patron; removal procedures for unruly or disruptive patrons; and emphasize the importance of minimizing unwanted noise as patrons leave the premises, especially at closing time, as well as continual monitoring of the outdoor area during the warm months.

The applicant commits to responding promptly to any concerns regarding improper or unacceptable noise levels. All noise-related complaints and concerns will be handled by the general manager or assistant manager or in his/her absence, to the shift manager/supervisor on duty. It is the intent of the applicant to comply with all noise-related ordinances and to be a good neighbor to the surrounding community.

### **PUBLIC HEARING SUMMARY**

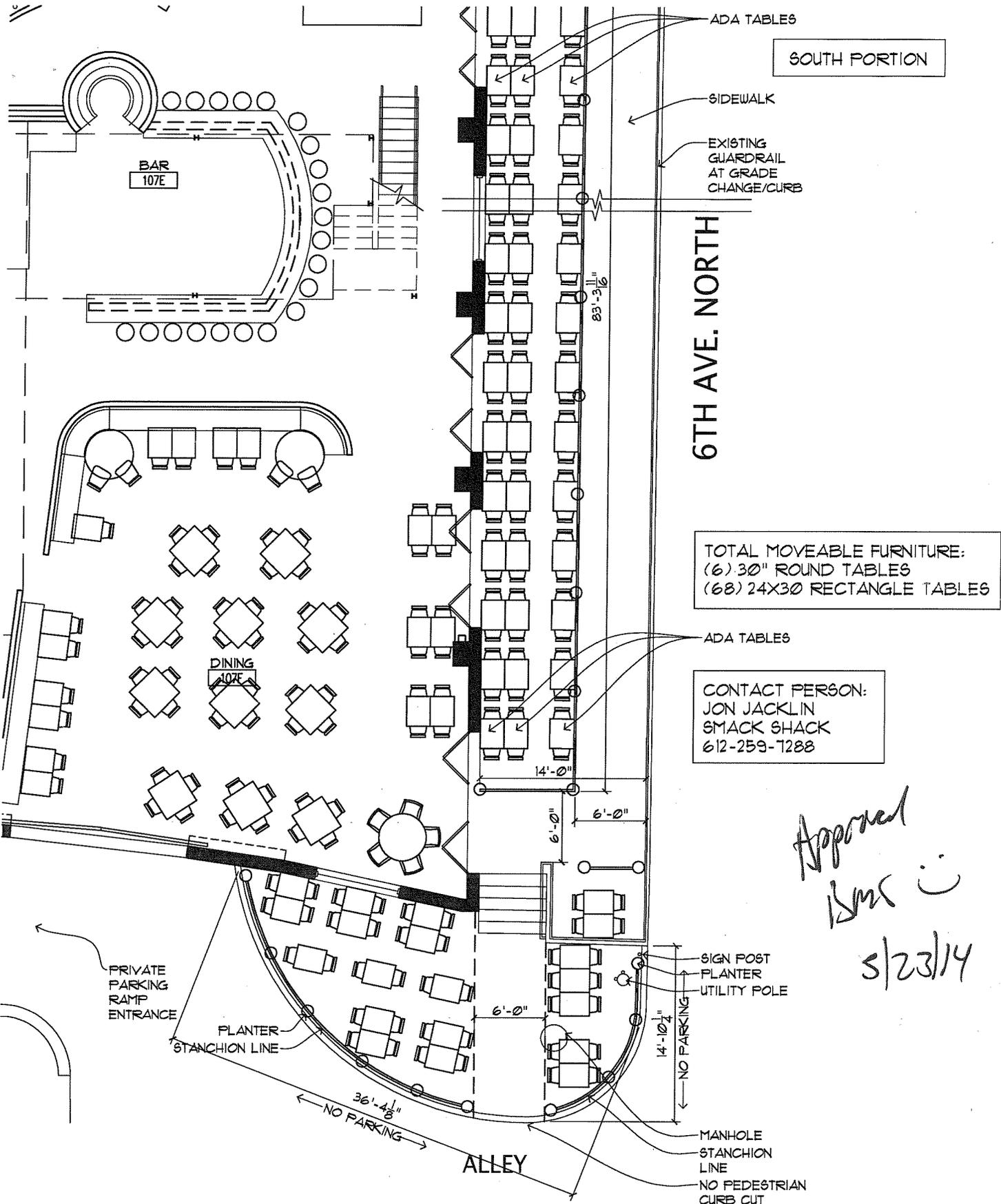
The public hearing notice was mailed to 24 residents and property owners within 300 feet of the premises on June<sup>th</sup>, 2014. The notice was posted and electronically sent to residents and building management at 618 & 700 Washington Avenue North, and at 625 2<sup>nd</sup> Street North. An electronic notice was emailed to the North Loop Neighborhood Association, the Downtown West Neighborhood Association and the Warehouse District Business Association on June<sup>th</sup>, 2014. The public hearing will be held on July 8<sup>th</sup>, 2014 at the Community Development & Regulatory Services Committee meeting.

### **RECOMMENDATION**

The Licenses and Consumer Services Division recommends approving this application for an upgrade in entertainment for Smack Shack.

### **LICENSE CONDITIONS**

None at this time.



SOUTH PORTION

6TH AVE. NORTH

TOTAL MOVEABLE FURNITURE:  
 (6) 30" ROUND TABLES  
 (68) 24X30 RECTANGLE TABLES

CONTACT PERSON:  
 JON JACKLIN  
 SMACK SHACK  
 612-259-7288

*Approved  
 JMS  
 5/23/14*

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212706  
 Project Number  
 HW  
 Drawn By  
 4/17/14  
 Date  
 AR  
 Checked By

SMACK SHACK RESTAURANT  
 SIDEWALK CAFE EXPANSION  
 603 Washington Ave. North  
 Minneapolis, MN 55401

ASK  
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