

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT
Extended Hours License
L317-50054**

Purpose of Application: D P Dough is requesting to extend their business hours of operation to the following:

Sunday from 11:00 a.m. to 2:00 a.m.
Monday through Wednesday from 11:00 am to 3:00 a.m.
Thursday through Saturday from 11:00 a.m. to 4:00 a.m.

Applicant's Name (Legal Entity): T Van Dyke, Inc.

DBA/Trade Name: D P Dough

Complete Address: 1501 University Avenue SE #130, Minneapolis, MN 55414

Telephone Number: 720-560-1452

Current License: The applicant has applied for a restaurant license in conjunction with this application.

Zoning: C3A/PO/UA Community Activity Center, Pedestrian Oriented Overlay and University Area Overlay Districts

Current Authorized Hours: Sunday through Thursday, from 6:00 a.m. to 1:00 a.m.
Friday and Saturday, from 6:00 a.m. to 2:00 a.m.

Neighborhood/Ward: University of Minnesota / 2

Date of Application: February 13, 2015

Inspector: Phil Schliesman, 612-673-3907

License Conditions: Yes

Public Hearing Requirement: A public hearing is required for this license application. 43 notices were mailed to residents and property owners within 300 feet of the premises and the multi-tenant buildings at 304 and 310 15th Avenue SE were posted. The notice was e-mailed to the Dinkytown Business Association on April 1, 2015. The public hearing will be held on April 21, 2015, at the Community Development & Regulatory Services Committee meeting.

Background:

A restaurant license has been applied for in conjunction with the application for extended hours. The applicant proposes to extend the closing hours of operation for their restaurant from 1:00 a.m. to 2:00 a.m. Sunday; from 1:00 am to 3:00 am Monday through Wednesday; and from 2:00 a.m. to 4:00 a.m. Thursday through Saturday. The restaurant will not serve alcoholic beverages, nor does it provide entertainment (only background music). The restaurant will serve calzones and pre-cooked chicken wings, salads, tater-tots and cookies.

The applicant contacted the Dinkytown Business Association on March 16th, 2015 regarding this application. The applicant has discussed this application with Council Member Cam Gordons office. The Council Member has no objections to 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:

D P Dough does not expect to have issues with a line of patrons ever going out their door, to form queue line. D P Dough has designed their space to minimize the potential of a queue line forming outside. If the queue line is so long that it stretches outside, they will have crowd control personnel not allow people into the line until the line shortens. Security will also monitor the line to keep the line organized and the patrons quiet. If the queue line going outside becomes a regular occurrence, they will hire uniformed security or off-duty police officers to regulate the line and monitor the lane night customers. The on duty manager will utilize the staff to manage patrons during their busiest times (Friday and Saturday nights) as needed to address this issue. In addition, the Dinky Dome/Sydney Hall has its own security for 24/7 monitoring. These security personnel will assist with any disturbances and a system is in place to call the police when needed.

Crime Prevention Specialist Nicholas Juarez of the 2th Police Precinct has reviewed the application and met the applicant 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:

Staff will remove litter twice daily. They will pick up litter more than twice a day if it becomes necessary. Any loud or boisterous customer will be told to keep it down or be asked to go elsewhere. No music will be played outside and the doors will not be propped open. Signs will also be posted asking customers to respect their neighbors by leaving the establishment quietly.

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 and staff will ensure the orderly exit of patrons near closing time. D P Dough indicates that they will stop allowing customers to enter the establishment 15 minutes before closing and will close at the prescribed closing time of 4:00 a.m. Thursday, Friday and Saturday nights. D P Dough will ensure all patrons exit by 4:00 am at which time the doors will be secured. Staff will then clear the sidewalk area to ensure no loitering and asking customers to keep any noise to a minimum.

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.

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

This restaurant is adjacent to residential uses. Noise will be kept to a minimum by staff ensuring any noisy patron is asked to leave in a timely fashion and no one will be allowed to loiter in the area. Noise will be partly reduced due to the placement of the internal speakers and building design in which the business sits.

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 food restaurant which is a permitted use in the C3A/PO/UA district.

History of complaints related to the use.

This business is new to this location.

RECOMMENDATION (pending public hearing):

The 2nd Police Precinct does not support this extended hours application. Council Member Cam Gordon's office has no objections to this application.

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

Sunday from 6:00 a.m. to 2:00 a.m.

Monday through Wednesday from 6:00 am to 3:00 a.m.

Thursday through Saturday from 6:00 a.m. to 4:00 a.m.

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



**City of Minneapolis
Licenses and Consumer Services Division**

350 South Fifth Street Room 1-C City Hall
Minneapolis, Minnesota 55415

www.minneapolis.org



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English- Attention. If you need this material in an alternate format, have questions, are deaf or hard-of-hearing, please call 612-673-3000.
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T VAN DYKE INC
BRIAN VANDYKE
1501 UNIVERSITY AVE SE #130
MINNEAPOLIS, MN 55414

20-MAR-15

Request Number: 15-1096006

BUSINESS LICENSE OPERATING CONDITIONS

Re: L317 50054 D P DOUGH
for EXTENDED HOURS

1. D P Dough will have extended hours on Sunday until 2:00 pm, Monday through Wednesday until 3:00 pm, and Thursday through Saturday until 4:00 AM. Should the licensee wish to add additional hours, a new application will need to be submitted to Business Licensing for review.
2. The licensee shall take all necessary and prudent steps to avoid violent incidents from occurring at their establishment by assessing customers behaviors and removing any customer who acts in a belligerent, loud or otherwise disruptive manner. If any criminal activity is observed, security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.
3. The licensee will ensure no alcohol will be allowed into the establishment, along the frontage of the establishment, or in the businesses designated parking area per Minneapolis Ordinance 372.20.
4. The licensee will not provide outdoor speakers.
5. Music from the internal speakers will be kept to a reasonable level so that the sound cannot be heard outside of the establishment. To prevent music from emanating outside, the doors to the establishment will not be propped open unless taking deliveries, then immediately closed.

6. The licensee shall not allow customers or passersby to loiter for any purpose inside the restaurant, along the frontage of the business or in the designated parking area.
7. The on duty manager and staff will address all concerns regarding customer behavior and manage any queue line should one form. Should staff need further assistance when dealing with a customer, building security will be called and then police as needed to address any unwanted patron behavior.
8. No person who appears to be obviously intoxicated will be allowed to enter the restaurant.
9. To assist in the prevention of reoccurring disturbances by known persons, the licensee shall compile, maintain and share with the 2nd Police Precinct a "Do Not Admit/86" list of persons who have been trespassed and/or refused service.
10. Signs will be posted at all times asking customers to respect the establishments' neighbors by leaving in a quiet manner.
11. The licensee will not allow any new customers into the establishment within 15 minutes of closing time. All patrons will be removed from the premises by closing time each night and the doors secured.
12. Dedicated security staff shall assist in crowd dispersal for at least one half hour after closing of the establishment to prevent loitering.
13. The licensee will not distribute hand-bills advertising to anyone walking on city sidewalks, streets, or alleys; nor place any on parked motor vehicles.
14. The licensee will collect all litter within 100 feet of the exterior of the building housing the licensed premises on a daily basis.
15. If there is a need for a queue line, the licensee shall take all reasonable measures to contain such line within the confines of the restaurant. Should it become operationally necessary to have a portion of the queue line run outside, security staff will ensure no one else will be allowed to join the line until the line has shortened. The line will be continuously monitored by security staff to ensure any person in the queue line who becomes loud and boisterous or otherwise makes a disturbance be immediately removed and asked to leave the area.
16. The licensee will hire dedicated uniformed security or police officers to provide security if the walk-in traffic after 1:00 am results in the queue line extending outside two or more times a week.
17. The licensee will close the doors to walk in traffic at 3:00 am and operate solely as a delivery operation until 4:00 am if any documented complaints are received by the Licensing office.

18. The licensee shall follow the terms of the business plan and security plan as submitted with the restaurant application. Should it become necessary, the licensee shall meet with representatives of the City of Minneapolis to discuss safety, security or operational concerns and make changes to the plans as deemed appropriate.
19. The licensee agrees to post their business hours on their front entrance glass door or glass pane directly adjacent to the front door, in professionally done lettering.
20. All delivery drivers are to be back to the store by closing time.

I have read the conditions listed above. I agree with the conditions and understand that failure on our part or on the part of my company or employees to adhere to these conditions, may be cause for future adverse license action, including the suspension, revocation, or denial of the renewal of the L317 50054 D P DOUGH license. These conditions will be effective for the duration the license operates at these premises, unless otherwise amended by the City Council of Minneapolis.

Based upon the foregoing, this agreement is freely & voluntarily entered into in good faith:

Licensee

Brian Van Dyke

Signature

Brian Van Dyke

General Manager

Print Name

Title

Date: 4/1/2015

City of Minneapolis

By: Grant Wilson
GRANT WILSON

Print Name

Dated: 4-2-15