



Legislation Details (With Text)

File #: RES 20-397 **Version:** 1
Type: Resolution **Status:** Passed
In control: City Council
Final action: 3/11/2020

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Amazed Group LLC (License ID # 20190001176), d/b/a Cups & Cheers, to add a Gambling Location license to the existing Liquor On - Sale 101-180 seats, Liquor On Sale - Sunday, and Entertainment (A) licenses at 1626 White Bear Avenue North.

Sponsors: Nelsie Yang

Indexes: License, Ward - 6

Code sections:

Attachments: 1. Signed Conditions Affidavit, 2. Minutes, 3. Class N Application, 4. Floor Plan, 5. STAMP Activities Report, 6. Incident Report, 7. Street Photos, 8. Aerial Photo, 9. Zoning Map, 10. Plat Map, 11. AMANDA Print Screen, 12. 100' Property Ownership, 13. District 2 Letter, 14. Correspondence of objection #1, 15. Correspondence of objection #2, 16. Class N Notification, 17. Notification of License Hearing, 18. Notification (to NON-City Parties), 19. Hearing Sign-in Sheet

Date	Ver.	Action By	Action	Result
3/17/2020	1	Mayor's Office	Signed	
3/11/2020	1	City Council		

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Amazed Group LLC (License ID # 20190001176), d/b/a Cups & Cheers, to add a Gambling Location license to the existing Liquor On - Sale 101-180 seats, Liquor On Sale - Sunday, and Entertainment (A) licenses at 1626 White Bear Avenue North.

WHEREAS, Amazed Group LLC (License ID # 20190001176), d/b/a Cups & Cheers, located at 1626 White Bear Avenue North, has applied for Class N license to add a Gambling Location license to the existing Liquor On - Sale 101-180 seats, Liquor On Sale - Sunday, and Entertainment (A) licenses; and

WHEREAS, objections to the Gambling Location license were received within the notification period, and a hearing was held on February 24, 2020; and

WHEREAS, after conducting the hearing and considering the testimony and submitted evidence, the Deputy Legislative Hearing Officer recommends that the application for a Gambling Location license for Amazed Group LLC (License ID # 20190001176), d/b/a Cups & Cheers, located at 1626 White Bear Avenue North, be approved with the following conditions:

Existing License Conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant".
2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patron/customers shall vacate the premises by 12:30 a.m. each day of the week as per Section 409.02 of the City of Saint Paul Legislative Code.
3. Licensee agrees that the sale, service, consumption, and/or display of alcohol is limited to the seating area documented in the lease and submitted with the application, which is the area having an address

number of 1626. No sale, service, consumption, and/or display of alcohol is permitted in the space having an address number of 1624, which is immediately adjacent to and south of the 1626 numbered space.

4. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.
5. Licensee will create a video surveillance camera and lighting placement plan (Video Surveillance Plan) for the interior and exterior of the licensed premises. Licensee will submit the video surveillance plan to The Saint Paul Police Department (SPPD) liaison with DSI for review and approval. In accordance with the approved video surveillance plan, licensee will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. Licensee will retain recorded surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, licensee shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, Licensee shall have the technology, materials and staff available to immediately make the copy. In all other cases, licensee shall provide a copy of the surveillance video to the requestor within 48 hours.
6. Licensee agrees to not employ any person or persons previously employed by either and/or both of the previous two licensees and/or lessees of 1626 White Bear Avenue North.
7. The internal door between 1626 White Bear Avenue North and 1624 White Bear Avenue North will be fixed to prevent unauthorized use of 1624 by lessee of 1626 White Bear Avenue North (any fixes/changes will be in accordance with all State and City Codes/Laws).
8. Licensee shall take appropriate action to ensure the back door (near the restrooms) is limited to emergency use and deliveries only, it shall not be used by customer/patrons as an entrance to the establishment

Recommended Additional License Conditions:

9. Licensee acknowledges that a Gambling Location license only permits an authorized charitable organization to conduct lawful charitable gambling in a manner approved by the State of Minnesota Gambling Control Board once the charitable organization has obtained a State of Minnesota Gambling Control Board Premise Permit.

THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions.

The Conditions Affidavit was signed and submitted on January 17, 2020.