



Legislation Text

File #: RES 23-741, **Version:** 1

Approving the application with conditions, per the Legislative Hearing Officer, for Lavs Tac Ent LLC, d/b/a The Foundry Pub (License ID #20230000060), for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Gambling Location licenses, located at 1201 Jackson Street.

WHEREAS, Lavs Tac Ent LLC, d/b/a The Foundry Pub (License ID #20230000060, located at 1201 Jackson Street, has applied for Class N licenses for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Gambling Location licenses; and

WHEREAS, §409.21 of the Saint Paul Legislative Code permits issuance of a gambling location license to an on-sale licensee to allow lawful gambling conducted by a qualified charitable organization; and

WHEREAS, the license will allow The Foundry Pub to conduct lawful gambling as defined by §409.21 (a) (1) of the Saint Paul Legislative Code at 1201 Jackson Street; and

WHEREAS, The Foundry Pub will be working with Climb Theatre Inc, a nonprofit organization licensed by the state to conduct lawful gambling and is in compliance with Minnesota Statute §349; and

WHEREAS, a notification regarding the license application was sent from the Department of Safety and Inspections to the affected neighborhood for the period of April 3, 2023, to April 18, 2023; and

WHEREAS, during the notification period, objections were received which triggered the hearing and a hearing was held on May 4, 2023; and

WHEREAS, the objections were related to safety, noise, trash, and gambling; and

WHEREAS, in response to the concerns raised, the licensee has agreed to work with the city to comply with the necessary requirements to minimize nuisance activities that would disturb the surrounding residential neighborhood; and

WHEREAS, after conducting the hearing and considering the testimony, the Legislative Hearing Officer recommends that the application for Lavs Tac Ent LLC, d/b/a The Foundry Pub (License ID #20230000060), located at 1201 Jackson Street, be approved with the following conditions:

1. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder 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. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder 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, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requester within 48 hours.

2. License holder will use an identification card scanner system to record and retain for a minimum of thirty (30) days the identification of all patrons who enter or re-enter the licensed establishment after 10:00 p.m. until closing during any day of operation. If an incident is deemed serious by SPPD, license holder shall make identification card scanner information immediately available for viewing by SPPD. In all other cases, license holder shall provide recorded card scanner information to the requester within 48 hours.

3. License holder shall retain clearly identifiable security personnel. Clearly identifiable security personnel shall mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance/exit of the license premises starting at 10:00 p.m. during any day of operation and shall remain until all patrons have left the property of the licensed business. While on duty security personnel shall screen each patron upon entry using a metal detection device and check all handbags and packages carried by patrons to effectively detect and prohibit weapons from entering the licensed premises. The requirement to screen patrons includes those who have left for any duration of time and return to re-enter the licensed premises. Security personnel shall verify the age of patrons by checking state or federally issued photo identification cards using the method outlined in condition #2. License holder shall establish and require that security personnel enforce a no picture identification/no entrance policy.

4. Security or staff will conduct outside sweeps of the building and parking lot at least twice an hour to disperse and discourage loitering from 9:00 p.m. during any day of operation until closing and shall remain at the licensed premises until all patrons have left the property/parking lot. All customers/patrons must be off the property/parking lot within 30 minutes after closing time.

5. License holder will remove any litter, trash, debris, or similar materials around exterior of licensed premises daily.

6. Signage shall be prominently posted at all exits stating, "You are exiting into a residential neighborhood - please leave quietly".

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned agreed-upon conditions and finds that the license conditions are reasonable, and the application is in order and there are no grounds to deny the approval of the licenses.

The conditions affidavit was signed on April 17, 2023 and submitted on May 4, 2023.