



Legislation Text

File #: RES 18-141, Version: 1

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Walmart Inc. (ID #0016211), d/b/a Tiffany Lounge, for an expansion of the indoor liquor service area into an approximately 1,600 square foot space located to the west of and immediately adjacent to the existing liquor service area, and the outdoor liquor sidewalk service area approximately 20 feet to the west for an establishment, 2051 Ford Parkway.

WHEREAS, Walmart, Inc. (ID #0016211), d/b/a Tiffany Lounge, is applying for an expansion of the indoor liquor service area into an approximately 1,600 square foot space located to the west of and immediately adjacent to the existing liquor service area, and the outdoor liquor sidewalk service area approximately 20 feet to the west for an establishment; and

WHEREAS, the licensee currently holds a Liquor On Sale- 101-180 Seats, Liquor On Sale- Sunday, Liquor On Sale - 2 AM Closing, Liquor-Outdoor Service Area (Sidewalk), Entertainment (B), and Shared Parking Agreement; and

WHEREAS, per RES 17-1941, the licensee received support from the Highland District Council to waive the 45-day notification and approval from the City Council for an **expansion of the indoor liquor service area into an approximately 1,600 square foot space located to the west of and immediately adjacent to the existing liquor service area**, with the following conditions:

Existing Conditions

1. Licensee agrees to limit the placement of seating on the public sidewalk to the area and number of seats shown on the approved sidewalk seating plan on file with the Department of Safety and Inspections (DSI).
2. Licensee agrees to take appropriate action(s) to ensure that the sale, display, and/or consumption of alcoholic beverages is contained within the defined service/seating area as per the approved sidewalk seating plan on file with DSI
3. Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses.

New Conditions

4. Each year at the time of license renewal the licensee agrees to provide a copy of a valid shared parking agreement to the City's Zoning Administrator to demonstrate compliance with zoning parking requirements, and pay the applicable City fee associated with maintaining this agreement.
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 the Department of Safety and Inspection (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 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; and

WHEREAS, objections to ***the expansion of the outdoor liquor sidewalk service area approximately 20 feet to the west for an establishment*** were received within the notification period and a hearing date and time was scheduled; and

WHEREAS, the Deputy Legislative Hearing Officer recommends that the application for Walmont, Inc., d/b/a Tiffany Lounge, be approved with the following conditions:

1. Licensee agrees to limit the placement of seating on the public sidewalk to the area and number of seats shown on the approved sidewalk seating plan on file with the Department of Safety and Inspections (DSI).
2. Licensee agrees to take appropriate action(s) to ensure that the sale, display, and/or consumption of alcoholic beverages is contained within the defined service/seating area as per the approved sidewalk seating plan on file with DSI
3. Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses.
4. Each year at the time of license renewal the licensee agrees to provide a copy of a valid shared parking agreement to the City's Zoning Administrator to demonstrate compliance with zoning parking requirements, and pay the applicable City fee associated with maintaining this agreement.
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 the Department of Safety and Inspection (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 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.

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

The Conditions Affidavit was signed and submitted on November 29, 2017.