

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

CC: 9R
Amend No. _____

Date Prepared: April 03, 2008

Council Meeting Date: April 15, 2008

TO: Terry Ellis, City Manager
FROM: Susan K. Thorpe, Deputy City Manager *ST*
THROUGH: Mary Jo Kief, City Clerk
PREPARED BY: Vicki Rios, Revenue Manager *VR*
SUBJECT: Proposed Recommendations by the City to the Arizona State Liquor Board

RECOMMENDATION: That following a public hearing, the Mayor and Council recommend approval to the State Liquor Board for:

1. A new Wine and Beer Liquor License (Series 10) for 75th Shell Fuels, located at 7509 W. Cactus Road, Randy D. Nations, Applicant, LL#10011133.
2. A Location Transfer for an On-Sale Wine & Beer Liquor License (Series 07) for Grande Pizza located at 28465 N. Vistancia Boulevard, Sadik Ollomani, Applicant, LL#10011209.

SUMMARY:

Pursuant to Arizona Law the City must recommend to the State Liquor Board for approval applications to sell alcoholic beverages in the City. The Standard for the recommendation is whether the best interest of the community will be served by the issuance of this license and whether the public convenience is served. In the event that the City Council recommends an application for denial, a 2/3 vote of the State Liquor Board will be required to approve the application and issue a license.

In making its recommendation, the Council may consider the following factors set forth in the Arizona Administrative Code:

CITY CLERK USE ONLY:

- Consent Agenda
 Carry Over to Date: _____
 Approved
 Unfinished Business (Date heard previous: _____)
 New Business
 Public Hearing: No Action Taken

ORD. # _____ RES. # _____
LCON# _____ LIC. # LL# 10011133
Action Date: LL# 10011209

1. *Petitions and testimony from persons in favor of or opposed to the issuance of a license who reside in, own or lease property in close proximity.*
2. *The number and series of licenses in close proximity.*
3. *Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies.*
4. *The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.*
5. *Residential and commercial population density in close proximity.*
6. *Evidence concerning the nature of the proposed business, its potential market, and its likely customers.*
7. *Effect on vehicular traffic in close proximity.*
8. *The compatibility of the proposed business with other activity in close proximity.*
9. *The effect or impact of the proposed premises on businesses or the residential neighborhood whose activities might be affected by granting the license.*
10. *The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report(s) of such activity at least 20 days before the hearing by the Board.*
11. *Comparison of the hours of operation of the proposed premises to the existing businesses in close proximity.*
12. *Proximity to licensed childcare facilities as defined by A.R.S. § 36-881.*

Licenses are issued by designated series. The licenses before the Council on this item consist of the following:

Series 10—permits the retail sale of beer and wine for consumption off premises.

Series 07—permits the retail sale of beer and wine for consumption on and off premises.

All required public hearing notices were posted at each proposed license location and the applications were reviewed according to the City's Liquor License Policy. All Comments, if any were received in the Revenue and Collections Division and transmitted with the applications. No comments have been received from the public on any of the applications. Each applicant has been notified of the date and time of the City Council meeting and the City's request that they be present and available to answer any questions that may arise.

Therefore, the staff is recommending the following actions pertaining to each license:

1. A new Wine and Beer Liquor License (Series 10) for 75th Shell Fuels, located at 7509 W. Cactus Road, Randy D. Nations, Applicant, LL#10011133. Recommend Approval.
2. A Location Transfer for an On-Sale Wine & Beer Liquor License (Series 07) for Grande Pizza located at 28465 N. Vistancia Boulevard, Sadik Ollomani, Applicant, LL#10011209. Recommend Approval.

ATTACHMENT:

1. Applications for Liquor Licenses

LIQUOR LICENSE APPLICATIONS
PERTAINING TO THIS
ARE ON FILE IN THE
OFFICE OF THE CITY CLERK