

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

CC: JR
Amend No.

Date Prepared: November 27, 2008

Council Meeting Date: November 18, 2008

TO: Carl Swenson, City Manager
FROM: Susan K. Thorpe, Deputy City Manager *SKT*
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 Person Transfer for an On-Sale All Liquor License (Series 06) for The Curve On Peoria, located at 8455 W. Peoria Avenue, John Durma, Applicant, LL#10013158.
2. A New Wine and Beer Liquor License (Series 10) for Super Star Car Wash, located at 21695 N. Lake Pleasant Parkway, Reza Amirrezvani, Applicant, LL#10013275.

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.

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. # *10013158*
Action Date: *10013275*

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

- 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 06—permits a bar retailer to sell and serve spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

Series 10—permits the retail sale of beer and wine for consumption 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 Person Transfer for an On-Sale All Liquor License (Series 06) for The Curve On Peoria, located at 8455 W. Peoria Avenue, John Durma, Applicant, LL#10013158. Recommend Approval
2. A New Wine and Beer Liquor License (Series 10) for Super Star Car Wash, located at 21695 N. Lake Pleasant Parkway, Reza Amirrezvani, Applicant, LL#10013275. Recommend Approval

ATTACHMENT:

1. Applications for Liquor Licenses

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