

AGENDA ITEM #: _____

DATE: October 23, 2017

CAR #: 17-6161

**CITY OF GOODYEAR
COUNCIL ACTION REPORT (CAR)**

SUBJECT: Application for a new Series 10 liquor license for Circle K Store #9528	STAFF PRESENTER: Sue Brungardt, Deputy City Clerk CASE NUMBER: None. OTHER PRESENTER: None.
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PROPOSED ACTION:

Approve a request from Kim Kwiatkowski, agent for Circle K Stores Inc., dba Circle K Store #9528, for a new Series 10 liquor license #10076905, located at 1550 N. Pebble Creek Parkway, Goodyear, Arizona 85338 (Generally located at the southwest corner of Pebble Creek Parkway and McDowell Road).

BACKGROUND AND PREVIOUS ACTIONS:

Mr. Kwiatkowski has applied for a new Series 10 liquor license for a future Circle K store. The store is tentatively scheduled to begin construction in approximately one year. The company is in the process of purchasing the property, but they must secure an alcohol license prior to purchase. Circle K currently has 577 convenience stores in Arizona, and all of these stores are company operated.

The City Clerk's Office received the application from the Arizona Department of Liquor Licenses and Control on August 28, 2017. The application has been routed to the Police, Fire, Code Enforcement and Development Services, and any comments are listed on Attachment A.

The application has been properly posted on the property for the State-mandated 20-day period. Any petitions or protests pursuant to A.R.S. §4-201(b) received during the 20-day posting period will be added to this report.

STAFF ANALYSIS:

Staff has been informed that a manager will be onsite to oversee alcohol sales. Circle K trains their employees in their company's "AZ Restricted Sales Policy" (attached) in order to comply with the law restricting alcohol sales to minors.

There are no schools located within 300 feet of this location.

A Series 10 License is for a Beer and Wine Store and is non-transferable. It allows a retail store to sell beer and wine (no other spirituous liquor), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control ("Department") for their consideration. If the City Council recommendation is for approval, no hearing is required unless the Director of the Department, the State Liquor Board ("Board"), or any aggrieved party requests a hearing on the grounds that the public convenience and the best interest of the community will not be substantially served if a license is issued. If no hearing is requested, the Director may approve the license. If the City Council recommendation is for disapproval of an application, a statement of the specific reasons along with a summary of the testimony or other evidence supporting the recommendation for disapproval shall be attached to the order of disapproval and submitted to the Director and a public hearing will be held.

If the City Council recommendation is no recommendation, the Director may cancel the hearing and issue the license unless the Board, or any aggrieved party, protests and requests a hearing. If the reason for the protest is clearly removed or deemed satisfied by the Director, the Board shall cancel the hearing and the Department may issue the license.

FISCAL ANALYSIS:

The applicant has paid the \$635.00 application fee for the license per the Goodyear Municipal User Fee Schedule. This business will contribute to the tax base of the community.

RECOMMENDATION:

Staff recommends approval of the Series 10 liquor license.

ATTACHMENTS:

1. Attachment A
 - a. Comments from city departments
 - b. Liquor license locations within one mile
 - c. Map with one-mile radius
2. Circle K "AZ Restricted Sales Policy"
3. Foodservice menus

Attachment A

Liquor License Application
Applicant: Kim Kwiatkowski
Business Name: Circle K Store #9528
License No.: 10076905

Received: August 28, 2017

Department	Comments
Police	None
Fire	None
Code	None
Development Services	None

Goodyear Liquor License Locations within One Mile

Ah-So Sushi & Steak (Series 12)	15475 W McDowell Rd
Akaihana Sushi & Grill (Series 12)	2293 N Pebble Creek Pkwy
Arriba Mexican Grill (Series 3 & 12)	15370 W McDowell Rd
Augie's Sports Grill (Series 12)	15605 W Roosevelt St
Barro's Pizza (Series 12)	15475 W McDowell Rd
BEVMO (Series 9)	15405 W McDowell Rd
Harkins Theater (Series 6)	15010 W McDowell Rd
Native Grill & Wings (Series 12)	15375 W McDowell Rd
Olive Garden (Series 12)	15411 W McDowell Rd
Oregano's Pizza Bistro (Series 12)	15280 W McDowell Rd
Quiktrip (Series 10)	575 N Estrella Pkwy
Red Lobster (Series 12)	15311 W McDowell Rd
Rubios (Series 12)	15479 W McDowell Rd
Saddle Mountain Brewery (Series 3 & 12)	15651 W. Roosevelt St
Safeway (Series 9)	440 N Estrella Pkwy
Senor Taco (Series 12)	525 N Estrella Pkwy
Texas Roadhouse (Series 12)	15255 W McDowell Rd
Tuscany Falls Clubhouse (Series 6)	16222 West Clubhouse Dr
Walgreens (Series 10)	1654 N Pebble Creek Pkwy
Walgreens (Series 10)	387 N Estrella Pkwy
Walmart (Series 9)	1100 N Estrella Pkwy
Wok Wei Asian Cuisine (Series 12)	15560 W Roosevelt St

Series 3 (Microbrewery)

Series 6 (Bar)

Series 9 (Liquor Store)

Series 10 (Beer & Wine Store)

Series 12 (Restaurant)

