

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

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| SUBJECT: Acquisition of Control for Series 6 Liquor License No. 06070051 for Clubhouse Grill AZ | STAFF PRESENTER: Darcie McCracken, City Clerk |
| | CASE NUMBER: None. |
| | OTHER PRESENTER: None. |

PROPOSED ACTION:

Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 32549, a request from Jared Michael Repinski, agent for PNKT Investments LLC, for an acquisition of control of Series 6 Liquor License No. 06070051 assigned to Clubhouse Grill AZ, which is located at 14175 West Indian School Road, #C 1, Goodyear, Arizona (Generally located west of the Safeway Store at the southwest corner of Litchfield Road and Indian School Road).

BACKGROUND AND PREVIOUS ACTIONS:

Earlier this year, PNKT Investments LLC purchased the Clubhouse Grill AZ establishment and liquor license. At the Regular Meeting on August 27, 2018, Council voted in favor of recommending approval of a Person Transfer of this Series 6 (Bar) liquor license to the Arizona Department of Liquor Licenses and Control (DLLC). The transfer was finalized by the DLLC on September 20, 2018. Clubhouse Grill AZ is currently open for business to the public.

The City Clerk's Office received the application for an acquisition of control from the DLLC on September 26, 2018.

STAFF ANALYSIS:

PNKT Investments LLC recently underwent a change in its ownership structure; therefore, it is required to file an acquisition of control with the DLLC per A.R.S. § 4-203(F), a copy of which is attached as an exhibit. Applicant Natalie Nhuthuy Tran has been added as a controlling person in PNKT Investments LLC with 50% interest, rights and control to the entity. This is the only organizational change at this time.

There are no licensed childcare facilities or K-12 schools within 300 feet of the location.

The application has been routed to the Police Department and the Development Services Department (Planning and Zoning, Code Compliance and Building Safety). Any comments that have been received are noted below:

| Department | Comments |
|---------------------|-----------------|
| Police | None |
| Planning and Zoning | None |

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|-----------------|------|
| Code Compliance | None |
| Building Safety | None |

Only new liquor licenses require a public hearing by the local governing body. A public hearing is not required for an acquisition of control as the action is in regard to an existing liquor license. The City Council's recommendation of "Approval", "Disapproval" or "No Recommendation" will be forwarded to the DLLC for final action.

- **APPROVAL:** If the City Council recommendation is for approval, a hearing of the Board is not required unless the DLLC Director ("Director"), the 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 held, the license may be approved by the Director.
- **DISAPPROVAL:** 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; a public hearing will then be held by the Board.
- **NO RECOMMENDATION:** If the City Council recommendation is "No Recommendation", the Director may cancel the public hearing and issue the license unless the Board or any aggrieved party requests a hearing. If the reason for the protest is clearly removed or deemed satisfied by the Director, the Board will cancel the public hearing, and the license may be approved by the Director.

FISCAL ANALYSIS:

Per the Goodyear Municipal User Fee Schedule, a liquor license fee is only charged for new liquor licenses. Acquisitions of Control involve current liquor licenses; therefore, no fee is charged.

RECOMMENDATION:

Staff recommends approval of the acquisition of control.

ATTACHMENTS:

1. Local Governing Body Report
2. Text of A.R.S. § 4-203: Licenses; issuance; transfer; reversion to state