

# REQUEST FOR LIQUOR COMMISSION ACTION

**DATE:** June 10, 2014

**ITEM NO. 5** - Consideration of Liquor License Renewal Applications for the 2014-2015 License Year

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There are currently 60 active liquor licenses in the City of Carbondale. Attached is a list of the licensed liquor establishments, grouped by classification of license, for which a liquor license renewal application has been submitted. Listed next to each individual establishment are the items that remain outstanding. This list is current as of June 4, 2014, but as required items are still being submitted by the license holders and the safety re-inspections are continuing, an updated list will be available at the Liquor Commission meeting. Copies of the individual renewal applications have not been provided to Commission members, however, the renewal applications and supplemental documents will be made available if any Commissioners would like to review specific records.

To aid the Commission in their deliberations, the Police Department, Fire Department, and Building and Neighborhood Services reports are attached. These reports run through the year.

**Liquor Advisory Board:** The Liquor Advisory Board considered the liquor license renewal applications on May 22, 2014, and recommended the approval of all requests, contingent upon receipt of outstanding items.

**180-day permits:**

Aldi Foods, Inc. does not currently have a liquor license. Once all outstanding items are received, and the design of the liquor set-up has been established, the license will be issued for the 2014-2015 license year.

**Alternative Actions**

The Commission may approve the renewal of the liquor licenses, as listed on the attached sheets, pending receipt of all outstanding items;

OR

Should the Commission wish to deny the renewal of any current liquor license, denial should be based on one or more of the provisions of Section 2-4-5 of the *Liquor Code* (printed on the reverse side of this Action sheet).

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#### **Section 2-4-5. Issuance of License - Findings**

The Commission shall not issue a new liquor license, renew a liquor license, approve a change of classification or transfer of location or the transfer of the license to a new owner unless it has previously been determined that there is no reason to refuse to issue, renew or approve such license. In determining whether there is reason to refuse to issue, renew, or approve a license, the Commission shall consider the following criteria:

- A. The class of the liquor license applied for and the availability of a license in the Class.
- B. Compliance with all applicable State and City regulations and laws.
- C. The potential impact on and demand for City services.
- D. The location of the proposed establishment and probable impact of a liquor establishment at the location upon the surrounding neighborhood or the City as a whole. Factors to be considered include, but are not limited to:
  - 1. Proximity to residential property,
  - 2. Proximity to schools, churches or synagogues,
  - 3. Proximity to gasoline stations or convenience stores which offer gasoline for sale,
  - 4. Potential impact on traffic safety,
  - 5. Potential adverse impacts on surrounding property values,
  - 6. Proximity to other liquor establishments,
  - 7. Adequate street lighting and lighting on the proposed property,
  - 8. Availability of on-street and off-street parking in the area,
  - 9. Availability of sidewalks in the area if significant pedestrian traffic is anticipated.
- E. The character and nature of the proposed establishment.
- F. Whether live entertainment will be provided and, if so, the nature of the entertainment.
- G. The proposed operation of the establishment, including staffing levels, the ability and commitment to abide by laws and regulations, and the ability to effectively monitor activities both within the establishment and on the property.
- H. The financial responsibility of the applicant and the past performance of the applicant, if any, in the area of liquor sales or services.
- I. The advisory recommendation of the Liquor Advisory Board and City staff.
- J. Whether the issuance (or renewal) of said license would be in the "best interests" of the City of Carbondale (for example, would there be an adverse impact on public health, safety or welfare; would the issuance of the license adversely affect the character of the surrounding neighborhood; would the license adversely impact the City's orderly growth and development, etc.)
- K. Whether the applicant or licensee has been delinquent on payment for services, loans or other contractual agreements received by the licensed establishment from the City of Carbondale. For the purpose of this subsection, a licensee shall be considered delinquent on payments if the licensee is currently in arrears or an outstanding debt owed to the city, or has been in arrears for more than fifteen (15) days on a payment to the city for services, loans or other contractual agreements, two (2) or more times within a two (2) year period.
- L. For Class A1 and A2 licenses:
  - 1. The kitchen facilities and equipment to be used in the preparation and serving of food.
  - 2. The hours during which the kitchen will be used in the preparation of all food items included on the restaurant menu.
  - 3. The existence of game rooms, dance floors, etc. that are commonly found in bar-type establishments.

# LIQUOR LICENSE RENEWAL APPLICATIONS

## ***KEY TO PENDING ITEMS***

Fee = Payment of license fee

Insurance = Proof of dram shop and/or liability insurance

Health = Copy of Jackson County Health Certificate

ROT = Retailer's occupation tax number

CGS = Certificate of Good Standing

Residency = Proof of residency for individual owner, partners, or manager/agent

Mgr Stmt = Manager/Agent residing inside corporate limits

Affidavit = Affidavit of Server Training

Safety = Reinspection by Fire Department and/or Building and Neighborhood Services

Lease = Lease extending at least through June 30, 2014

### **CLASS A1**

DiMaggio's Pizza – Safety

Fat Patties – Safety

Italian Village – Fee, Safety

Kaya Restaurant – Fee, Safety

Quatro's Pizza – Complete

Thai Taste of Carbondale – Safety

### **CLASS A2**

Applebee's - Safety

Bandana's Bar-B-Q - Mgr Stmt, Safety

Boondock's/Holiday Inn – Residency

Buffalo Wild Wings – Safety

Chili's Grill & Bar – Residency, Safety

Fujiyama Restaurant – Residency, Safety

Garfield's – Safety

Hunan – Safety

La Fogata's – Fee, Insurance, ROT, Health, CGS, Residency, Affidavit, Safety

Lone Star – Safety

Moe's Southwest Grill – ROT, Residency, Lease, Safety *(Hotel/Motel late fee owed)*

Newell House Bistro – Safety

Pagliai's Pizza – Safety

Show Me's – Safety

Tequila's Mexican Restaurant – Safety

Tres Hombres – Safety

### **CLASS B2**

213 – Fee, Safety, Lease

Blue Martin, The – Fee, Safety, Lease

Cellar, The – Safety, Residency

Copper Dragon – Fee, Insurance, ROT, Health, CGS, Affidavit, Safety

Global Gourmet – Complete

Hangar 9 - Safety

Key West – Safety

Pinch Penny Pub – Fee, Insurance, ROT, Health, CGS, Affidavit, Safety

Pizza King – Safety

Premiere Lounge, The – Fee, Safety

Saluki Bar/Cali's – Insurance, ROT, Health, CGS, Affidavit, Safety, Lease

Sidetracks – Insurance, Safety  
Sports Blast - Safety  
Stix Bar & Billiards – Insurance, ROT, Health, Affidavit, CGS, Lease, Safety  
Varsity Center for the Arts – Safety

#### **CLASS C1**

ABC Liquor Mart – Safety  
Blue Fish Liquors & Cigars – Safety  
Old Town Liquors – Safety  
Pick's Liquors – Safety  
Pinch Penny Liquors – Fee, Insurance, ROT, Health, CGS, Affidavit, Safety  
Rollin Up #7 – Safety  
Warehouse Liquors – Safety, Health  
Westroads – Insurance

#### **CLASS C2**

Arnold's Market – Safety  
Kroger – Safety  
Neighborhood Coop – Safety  
Schnucks – Safety  
Wal-Mart - Safety

#### **CLASS D**

Pine Manor – *does not yet have a license, only a 180-day permit, so the when the license is issued, it will be for new liquor license year*  
Royal Plaza Inn – GL Insurance, Safety

#### **CLASS E**

Eagles - Fee, ROT, Health, Affidavit, Safety  
Elks – Fee, ROT, CGS, Affidavit, Safety

#### **CLASS G**

Hickory Ridge Golf Center – Safety

#### **CLASS H**

Monte Alegre Vineyard & Cellars – GL Insurance, Safety

#### ***Licenses not renewing:***

***Chartwells (3)***

***Gatsby's***

***El Bajio***

***Mississippi Flyway***

***El Greco***

***Ice Box Bar and Grill***