

CITY COUNCIL REPORT



Meeting Date: May 14th, 2019
General Plan Element: ***Land Use***
General Plan Goal: ***Support a diversity of businesses.***

ACTION

Liquor License Request for 32-LL-2019 Hot Chick. To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location and new owner.

OWNER

John's Food and Beverage, LLC

APPLICANT CONTACT

Peter Henry Schelstraete

LOCATION

4363 North 75th Street

BACKGROUND

This request is for a Series 6 (bar) liquor license for an existing location with new owner. This has been a licensed location since 2015, most recently operating with liquor as a bar. A Bar Conditional Use permit was granted in 2007 (4-UP-2007).

APPLICANT'S PROPOSAL

The applicant is seeking a favorable recommendation on a Series 6 (bar) liquor license. This allows 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.

The applicant has indicated that this establishment will serve liquor between the hours of 10 a.m. to 2 a.m.; however, due to State liquor license processing requirements, they are not required to notify the City or the State if they change their hours of operation.

IMPACT ANALYSIS

Reliability and Location

A.R.S. Section 4.-203.A and R19-1-702 Granting a License for a New Owner for a Certain Location.

The capability, qualifications and reliability of the applicant has been shown.

Zoning

This site is zoned C-3/P-3 DO (Highway Commercial, Parking, Downtown Overlay). The C-3/P-3 DO district allows bars as a conditional use with a Bar Conditional Use permit. The applicant has been notified of the City's expectation that the business will operate as a bar as defined by City Code.

Public Safety

Police Department: Recommendation No Opposition

Major life safety issues: None noted

Public Notice and Proximity

A.R.S. Section 4-201.B. Petitions from Persons in Close Proximity.

The applicant has maintained the required posting notice for the State mandated 20-day period. No petitions or protests were received during the 20 (twenty) day posting period.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, disapproval or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining the capability, qualifications and reliability of the applicant.

Next Steps


The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If the application is approved by the Department of Liquor Licenses and Control, the applicant should receive their license from the State within 105 days of original application.

RESPONSIBLE DEPARTMENT(S)

Melissa Berry, Planning Specialist, mberry@ScottsdaleAZ.gov
Planning and Development Services

Thomas Myers, Lieutenant, tmyers@scottsdaleaz.gov
Police Special Investigations

APPROVED BY



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov



Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

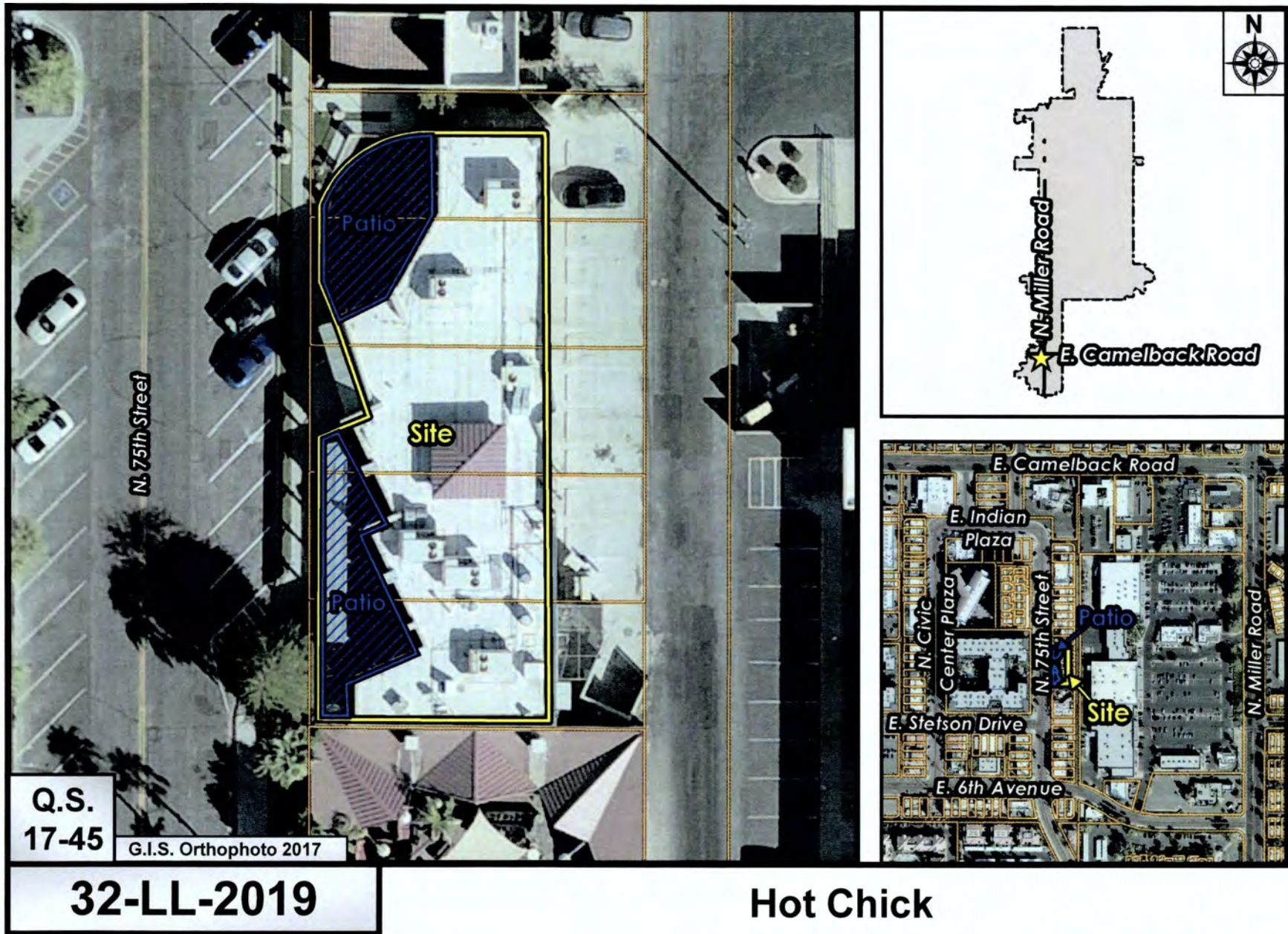


Date

ATTACHMENTS

1. Map
2. City of Scottsdale Applicant Questionnaire
3. State Application (Front Page)
4. Floor Plan

ATTACHMENT 1



Liquor License Questionnaire

(Existing Location)

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)



Please complete all questions and return within 3 business days.

Name of Business: Johns Food and Beverage, LLC dba; The Hot Chick

Business Address: 4363 N 75th St, Scottsdale 85251

Total Gross Square Footage of Establishment (Minus the Patio): 4950

Is this business under construction or being remodeled? ☒ Yes ☐ No

Does this business have an existing patio? ☒ Yes ☐ No Dimensions of patio 12x50 & 30x30

Does this business have a proposed patio? ☐ Yes ☒ No Dimensions of patio _____

Was liquor sold at this location prior to this application? ☒ Yes ☐ No

If yes, what type of license? Series 6

Is this business currently open? ☐ Yes ☒ No

If yes, is this business operating with an Interim license? ☐ Yes ☒ No

If no, what is the proposed opening date? June 1st

For Restaurants, Bars and Restaurants/Bars:

Will the bar service area be less than 15% of the gross floor area? ☒ Yes ☐ No*

Gross square footage of bar service area: 560

(includes the floor area under indoor and outdoor bars and the floor area behind the bars used for storage, prep and serving of food or drinks. NOT kitchen/backroom storage)

Will the kitchen be less than 15% of the gross floor area? ☐ Yes* ☒ No

Gross square footage of kitchen: 1300

Will the full kitchen close before 9:00 p.m.? ☐ Yes* ☒ No

Will less than 40% of gross revenues be derived from the sale of prepared food? ☐ Yes* ☒ No

During what hours will the establishment offer liquor sales? M-Th 3p-11p, Fri 3p-2a, Sat 10a-2a, Sun 10a-10p

For admittance:

Will age verification be required/requested at any time during business operations? ☒ Yes* ☐ No

For admittance:

Is a cover charge required at any time during business operations? ☐ Yes* ☒ No

*May require a Conditional Use Permit

Please check one of the following that best describes the primary business operation:

☐ packaged retail ☒ restaurant ☐ bar ☐ personal service ☐ education service

☐ manufacturing ☐ hotel / tourist accommodation ☐ residential facility ☐ sports / theater

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov

Liquor License Questionnaire

(Existing Location)

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)



Please complete all questions and return within 3 business days.

Will this business feature any of the following:

Patron Dancing?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Karaoke?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Live Bands?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	DJ?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Amplified music?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Games?	<input checked="" type="checkbox"/> Yes*	<input type="checkbox"/> No
Adult Entertainment?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Four or more pool tables?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
After hours?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No			

*May require a Conditional Use Permit

Applicant Narrative:

ARS 4-201-G: Except for a person to person transfer of a transferable license for use at the same location and as otherwise provided in section 4-203, subsection A, in all proceedings before the governing body of a city or town, the board of supervisors of a county or the board, the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license.

1. I have the capability, qualifications and reliability to hold a liquor license because:

I currently hold 5 liquor licenses in Arizona and 2 in California. Have actively held a license(s) in Scottsdale since 2003.

2. Please describe your business:

Restaurant specializing in a full menu of fried chicken offering liquor beer, wine, board games and other table games such as ping pong, pool, darts and foosball

The City's forwarding of a recommendation to the AZ Department of Liquor Licenses and Control does not waive and is not a substitute for the Licensee's obligation to comply with all state, local and federal laws, policies and regulations applicable to the license. The Recommendation is not a permit or regulatory approval to hold any events or construct or demolish any improvements. Zoning processes, building permit processes, and similar regulatory requirements may apply to Licensee's contemplated improvements and are completely separate from the Recommendation. Licensee shall be responsible to, separate and apart from this Recommendation, directly obtain all necessary permits and approvals from any and all governmental or other entities including the City's having standing or jurisdiction over the subject areas. For more information regarding zoning processes, building permit processes, and similar regulatory requirements and approvals please call 480-312-2611.

Print Name: Ryan Jacob Signature: [Signature] Date: 03/27/19

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

State of Arizona
Department of Liquor Licenses and Control

Created 03/22/2019 @ 08:53:40 AM

Local Governing Body Report

LICENSE

Number:	06070021	Type:	006 BAR
Name:	HOT CHICK		
State:	Pending		
Issue Date:		Expiration Date:	01/31/2020
Original Issue Date:	03/02/1984		
Location:	4363 N 75TH STREET SCOTTSDALE, AZ 85251 USA		
Mailing Address:	PO BOX 2502 CHANDLER, AZ 85244 USA		
Phone:	(000)000-0000		
Alt. Phone:	(602)799-9313		
Email:	AMYNATIONS@AZLIC.COM		

Currently, this license has pending applications.

AGENT

Name:	PETER HENRY SCHELSTRAETE
Gender:	Male
Correspondence Address:	PO BOX 2502 CHANDLER, AZ 85244 USA
Phone:	(602)799-9313
Alt. Phone:	
Email:	PETER@SCHELSTRAETELAW.COM

OWNER

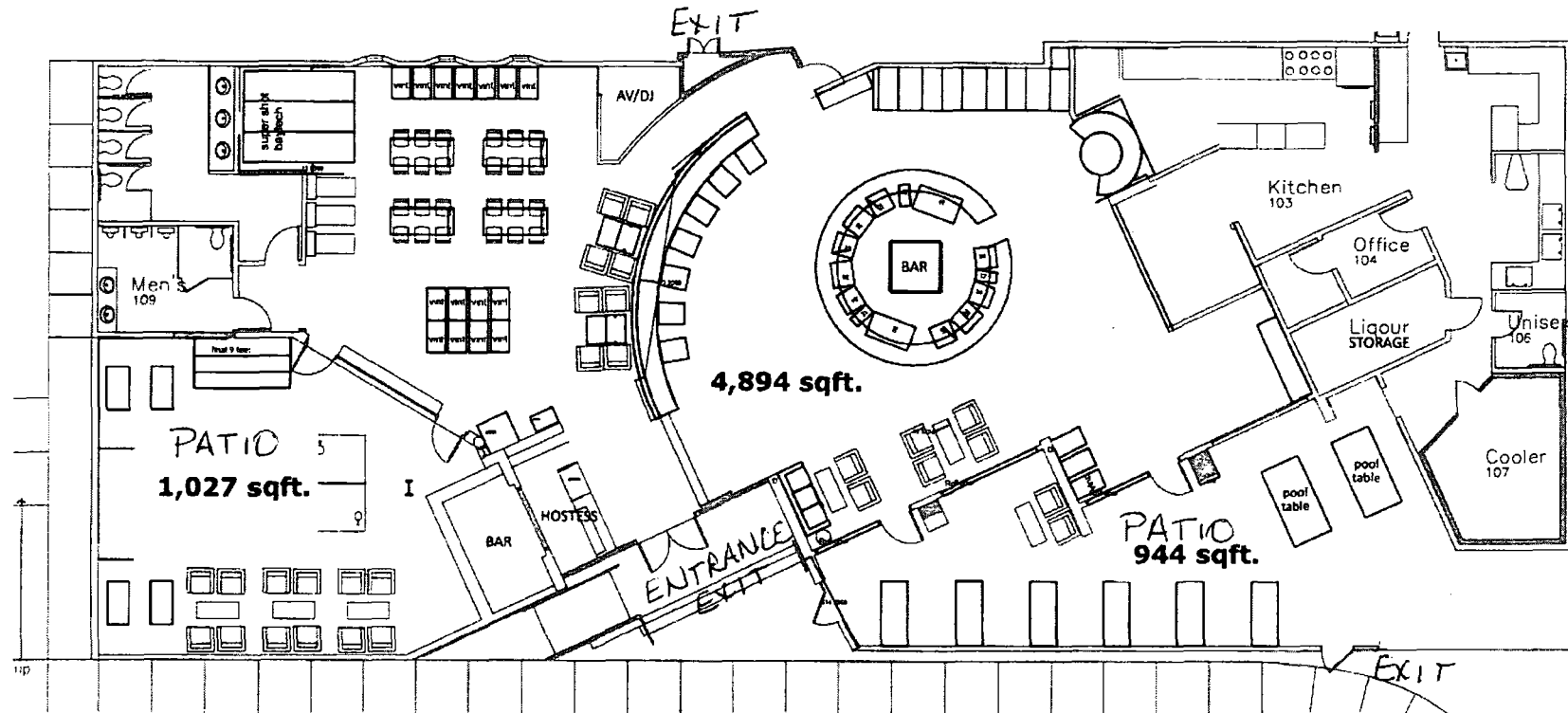
Name:	JOHN'S FOOD AND BEVERAGE LLC	
Contact Name:	PETER HENRY SCHELSTRAETE	
Type:	LIMITED LIABILITY COMPANY	
AZ CC File Number:	L21858016	State of Incorporation: AZ
Incorporation Date:	05/12/2017	
Correspondence Address:	PO BOX 2502 CHANDLER, AZ 85244 USA	
Phone:	(602)799-9313	
Alt. Phone:		
Email:	AMYNATIONS@AZLIC.COM	

Officers / Stockholders

Name:	Title:	% Interest:
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6865 SF

JOHN'S FOOD AND BEVERAGE, LLC



ATTACHMENT 4

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