



Staff Summary Report

Council Meeting Date: 9/11/08

Agenda Item Number: _____

SUBJECT: This is a public hearing to recommend the approval of a Series 6 bar liquor license for CP Aroma LLC dba Aroma Market/Café, 116 West Sixth Street.

DOCUMENT NAME: 20080911LIQ01 LIQ LIC (0210-02)

SUPPORTING DOCS: NO

COMMENTS: Kenneth Losch is the Agent for this application.

PREPARED BY: Kay Savard, Specialty License Coordinator (x8650)

REVIEWED BY: Jerry Hart, Financial Services Manager (x8505)
Bruce L. Smith, License & Collection Supervisor (x8509)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

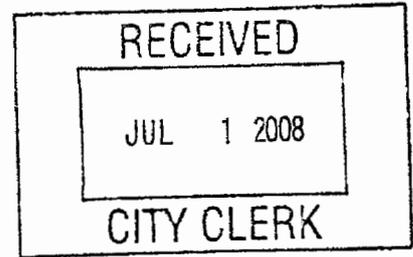
RECOMMENDATION: Staff recommends that Council approve this application because the applicant and location have met all city and county liquor licensing criteria.

ADDITIONAL INFO: Tempe city code requires that the Tempe Police Department conduct a background investigation on all liquor license applicants. Additionally, the city code requires that business locations be inspected by Fire Prevention, Building Safety and the Maricopa County Health Department to ensure the establishment meets minimum city and county code licensing criteria. The Development Services Department is currently processing a use permit application for this applicant and location to operate as a restaurant/bar and allow live entertainment (inside and outside). The premise has been posted for a 20-day period, per Arizona Revised Statute. A letter of public opposition is attached.

State statute requires municipalities to make one of three recommendations to the Arizona Department of Liquor Licenses and Control (AZ DOL):

1. Approval
2. Denial (this results in a public hearing set by the AZ DOL)
3. No recommendation (this may result in a public hearing set by the AZ DOL)

City of Tempe
City Clerk
31 East Fifth Street
PO Box 5002
Tempe, Arizona 85281



June 27, 2008

Re: Original L06 Bar Liquor License
Tempe License No. 117403

To whom it may concern,

I am writing to express my opposition to the issuance of a Series L06 Bar Liquor License for the '**Aroma Market/Cafe**' which, apparently, is to be located at 116 West Sixth Street in Tempe, Arizona.

The downtown district is saturated with bars at this time and I see that adding another at this location would bring more of the problems associated with bars that we are seeing in the downtown and surrounding neighborhoods.

Despite the claims of the developer that the Centerpoint project will be upscale and owner occupied, only 25% of the residential units have been sold at this time. There is a great deal of uncertainty about this project. The prudent approach is to wait until we can measure the project's success before we consider the issuance of a liquor license.

Adjacent uses such as the proposed City Library on Farmer Avenue and the 'Rabbits' public art project (which is heavily used by children) across the street from the Centerpoint project are not compatible with the proposed bar use.

I reside and own property within a one-half mile radius of the Centerpoint project.

Thank you for your consideration of this important matter.

A handwritten signature in black ink, appearing to read "Kirby Spittler".

Kirby Spittler, AIA
729 West Tenth Street
Tempe, Arizona 85281
(480) 921-3433