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#40
FEB 22 2007

MEMORANDUM Management Services Department - Council Memo No. MR07-078

DATE: FEBRUARY 22, 2007

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
RICH DLUGAS, ASSISTANT CITY MANAGER RD
PATRICIA A. WALKER, MANAGEMENT SERVICES DIRECTOR Walker

FROM: SANDI RODENBECK, CUSTOMER SERVICE MANAGER

SUBJECT: SERIES 3 DOMESTIC MICROBREWERY LIQUOR LICENSE APPLICATION
DENNIS JOHN DELANEY, AGENT, DELANEY ENTERPRISES LLC
DBA COPPER CANYON GRILL AND BREW PUB

RECOMMENDATION

Staff recommends Council forward a recommendation for approval of State Liquor License No. 03073044, and further, that approval be given for the City of Chandler Series 3, Domestic Microbrewery Liquor License No. 111643 L03, for Dennis John Delaney, Agent, Delaney Enterprises LLC, dba Copper Canyon Grill and Brew Pub at 5945 W. Ray Rd., Ste. 13.

BACKGROUND

This application reflects a change in ownership. Planning and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Copper Canyon Grill and Brew Pub. The microbrewery has been in operation at this location since 1995.

DISCUSSION

The following application for a liquor license has been posted and published for hearing on February 22, 2007:

New License, Series 3, Domestic Microbrewery Liquor License,
for Dennis John Delaney, Agent, Delaney Enterprises LLC,
dba Copper Canyon Grill and Brew Pub, at 5945 W. Ray Rd., Ste. 13.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code.

With a Series 3, Domestic Microbrewery Liquor License the business may sell beer produced on the premises for consumption on or off the premises, and may make sales to persons licensed to sell beer. Production is limited to 10,000 to 310,000 gallons annually. A controlling person can have interest in only one microbrewery at only one site.

PROPOSED MOTION

Move for recommendation to the State Department of Liquor Licenses and Control for approval of a Series 3, Domestic Microbrewery Liquor License for Delaney Enterprises LLC, dba Copper Canyon Grill and Brew Pub, 5945 W. Ray Rd., Ste. 13, and approval of the City of Chandler Liquor License.



rg

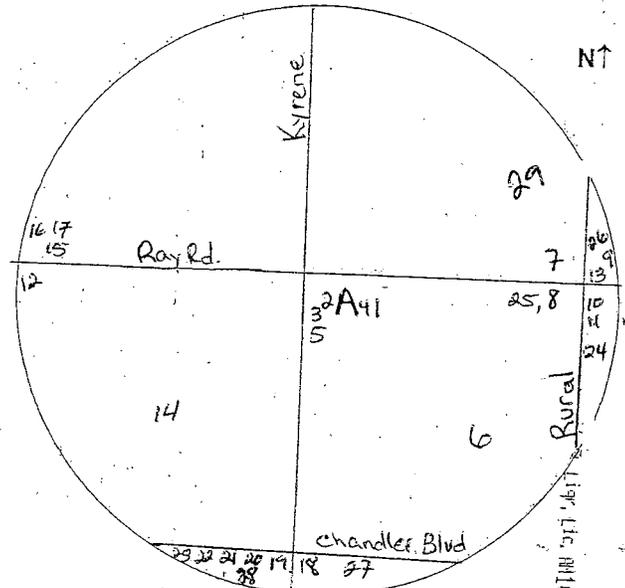
Attachments: Geographical Map - A
Site Layout - B

YOU MUST NOTIFY THE DEPARTMENT OF LIQUOR OF ANY CHANGES OF BOUNDARIES, ENTRANCES, EXITS, OR SERVICE WINDOWS MADE AFTER SUBMISSION OF THIS DIAGRAM.

SECTION 16 Geographical Data: A SAMPLE FOR THIS SECTION IS PROVIDED ON THE NEXT PAGE.

List below the exact names of all churches, schools, and spirituous liquor outlets within a one mile radius of your proposed location. Ref. A.R.S. 4-201 (B)

1. Chalo's Casa Reynoso
2. Mido Shushi Inc.
3. Wang's Fine Chinese Dining
4. Teakwoods Tavern & Grill
5. Streets of New York
6. Kyrene De La Mirada Elementary
7. Fry's (Tempe)
8. Rubio's
9. The Wild Hare
10. Long Wong's
11. Fry's
12. Circle K
13. Exxon Mobil Oil
14. Valley Unitarian
15. Star Mart (Tempe)
16. NYPD Pizza (Tempe)
17. Manhattan's BBQ Deli (Tempe)
18. CVS Pharmacy



A = Your business name and identify cross streets.

ATTACH ADDITIONAL SHEET(S) IF NECESSARY

SECTION 17 Signature Block:

I, Dennis J. Delaney, declare that: 1) I am the APPLICANT (Owner, Agent, Partner, Stockholder (10% or more), Member, Officer (10% or more ownership), or Club Member making this application; 2) I have read the application and the contents and all statements are true, correct and complete; 3) that this application is not being made to defraud or injure any creditor, taxing authority, regulatory authority, or transferor; 4) that no other person, firm, or corporation, except as indicated, has an interest in the spirituous liquor license for which these statements are made; and 5) that to the best of my knowledge and belief, none of the owners, partners, members, officers, directors or stockholders listed have been convicted of a felony in the past five (5) years.

x Dennis J. Delaney
 (Signature)

State of Ariz County of Maricopa

The foregoing instrument was acknowledged before me this
3 day of Jan 2007
 Day Month Year

My commission expires on:



Lauren K. Barrett
 (Signature of NOTARY PUBLIC)

A2082

19. Regal Beagle Sports Lounge
20. Basha's
21. Brunswick Kyrene Lanes
22. India Gate
23. Sports 4 Em
24. Tsunami Japanese Restaurant
25. Swaddee Thai Cuisine
26. Gandolfo's Deli
27. Wingstop
28. Big Star BBQ
29. Corona Del Sol High School (Tempe)

SECTION 14 Restaurant, or Hotel-Motel Applicants:

COPY B

1. Is there a valid restaurant or hotel-motel liquor license at the proposed location? YES NO If yes, give licensee's name: _____ and license #: _____

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Last First Middle

- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. Section 4-203.01; and complete Section 5 of this application.
- 3. All restaurant applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor.
- 4. Do you understand that **40% of your gross revenue** must be from food sales? YES NO

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check ALL boxes that apply to your licensed premises:

- Entrances/Exits
- Drive-in windows
- Service windows
- Liquor storage areas
- Patio enclosures
- Under construction: estimated completion date _____

- 2. Restaurants and Hotel/Motel applicants must explicitly depict kitchen equipment and dining facilities.
- 3. The diagram below is the only area where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored. Give the square footage or outside dimensions of the licensed premises.

DO NOT INCLUDE PARKING LOTS, LIVING QUARTERS, ETC. 4585 SF

