



**THIS APPLICATION IS FOR A:
SERIES 12 RESTAURANT LICENSE - ON-SALE RETAIL PRIVILEGES.**

ZONING: LC PAD

COUNCIL DISTRICT: #6

PER ARS 4-201.E, COUNCIL RECOMMENDATION MUST BE RECEIVED BY THE STATE ON 1/11/2025.

The Stone House
BUSINESS NAME

6910 East Hampton Avenue
BUSINESS ADDRESS

AZ Stone 1 LLC
Keith Brian Turner, Agent
APPLICANT, POSITION

515 East Carefree Highway #226 Phoenix, AZ 85085
MAILING ADDRESS

LICENSE PRESENTLY EXISTING AT THE ABOVE LOCATION: None.

PREVIOUS LICENSE EXISTING AT THE ABOVE LOCATION: The previous license held by Kims Enterprise LLC was issued 5/5/22. This license was closed 1/31/23.

LIQUOR LICENSES WITHIN ONE-MILE RADIUS (see enclosed map): 47.

APPLICATIONS WITHIN ONE-MILE RADIUS PENDING STATE LIQUOR BOARD DECISION: 4.

POPULATION ESTIMATE WITHIN ONE-MILE RADIUS OF THE ABOVE LOCATION: 8,562.

ADVERSE INFORMATION: None.

OTHER INFORMATION: Within the last five (5) years, Sol Park, controlling member, has been cited on one (1) liquor related violation, selling without a license on 5/10/22, as well as had their prior liquor license application at this location denied by the Arizona Department of Liquor Licenses & Control on 8/3/23. All related fines and actions required to cure these violations were met and the case closed. The applicant is eligible to re-apply for this location as it has been at least twelve months after the date of the prior rejection §ARS4-208A. City council members may reference §R19-1-702 and §ARS 4-203A as a basis for determining whether to grant a liquor license.

PETITIONS RECEIVED WITHIN 20-DAY POSTING PERIOD: None.

CALLS FOR SERVICE: Not Applicable.

DISTANCE TO NEAREST SCHOOL: Not Applicable.

BUSINESS OVERVIEW: A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License. A Series 12 Restaurant License allows on-site consumption of all types of alcohol.



R19-1-702

R19-1-702. Determining Whether to Grant a License for a Certain Location

- A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:
1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;
 2. Number and types of licenses within one mile of the proposed premises;
 3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;
 4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;
 5. Residential and commercial population density within one mile of the proposed premises;
 6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;
 7. Effect on vehicular traffic within one mile of the proposed premises;
 8. Compatibility of the proposed business with other activity within one mile of the proposed premises;
 9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;
 10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;
 11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and
 12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.
- B. This Section is authorized by A.R.S. § 4-201(I).

4-203. Licenses; issuance; transfer; reversion to state; tastings; rules; off-sale privileges; order requirements

A. A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of wholesaler, producer, government or club licenses, that the public convenience requires and that the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a transferable or nontransferable license, other than for a craft distiller license, a microbrewery license or a farm winery license, for a location that on the date the application is filed has a valid license of the same series, or in the case of a restaurant license application filed for a location with a valid hotel-motel license, issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption may be rebutted by competent contrary evidence. The presumption shall not apply once the licensed location has not been in use for more than one hundred eighty days and the presumption shall not extend to the personal qualifications of the applicant.

B. The license shall be to manufacture, sell or deal in spirituous liquors only at the place and in the manner provided in the license. A separate license shall be issued for each specific business, and each shall specify:

1. The particular spirituous liquors that the licensee is authorized to manufacture, sell or deal in.
2. The place of business for which issued.
3. The purpose for which the liquors may be manufactured or sold.

C. A spirituous liquor license issued to a bar, a liquor store or a beer and wine bar shall be transferable as to any permitted location within the same county, if the transfer meets the requirements of an original application. A spirituous liquor license may be transferred to a person qualified to be a licensee, if the transfer is pursuant to either judicial decree, nonjudicial foreclosure of a legal or equitable lien, including security interests held by financial institutions pursuant to section 4-205.05, a sale of the license, a bona fide sale of the entire business and stock in trade, or other bona fide transactions that are provided for by rule. Any change in ownership of the business of a licensee, directly or indirectly, as defined by rule is deemed a transfer, except that there is no transfer if a new artificial person is added to the ownership of a licensee's business but the controlling persons remain identical to the controlling persons that have been previously disclosed to the director as part of the licensee's existing ownership.

D. All applications for a new license pursuant to section 4-201 or for a transfer to a new location pursuant to subsection C of this section shall be filed with and determined by the director, except when the governing body of the city or town or the board of supervisors receiving an application pursuant to section 4-201 orders disapproval of the application or when the director, the state liquor board or any aggrieved party requests a hearing. The application shall then be presented to the state liquor board, and the new license or transfer shall not become effective unless approved by the state liquor board.

E. A person who assigns, surrenders, transfers or sells control of a liquor license or business that has a spirituous liquor license shall notify the director within thirty business days after the assignment, surrender, transfer or sale. A spirituous liquor license shall not be leased or subleased. A concession agreement entered into under section 4-205.03 is not considered a lease or sublease in violation of this section.

F. If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the director within thirty business days after the acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the director. There is no acquisition of control if a new person is added to the ownership of a licensee's business but the controlling persons remain identical to the controlling persons that have been previously disclosed to the director as part of the licensee's existing ownership. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation before the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not more than \$1,000, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the director, within