O-23-34

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE APPLICATION OF BREWSKI'S PUB AND GRUB II, INC. FOR A PRIVATE CLUB TO BE LOCATED AT 2800 LAKEWOOD VILLAGE DRIVE, NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Act 1112 of 2017 requires applicants for private club license to obtain approval of the governing body of the city or county where the private club is to be located prior to submitting the application to the Arkansas Department of Finance and Administration, Alcoholic Beverage Control Division; and

WHEREAS, Brewski's Pub and Grub II, Inc. ("Brewski's") has submitted an application, relevant portions of which are attached hereto as Exhibit A, for a private club to be located at 2800 Lakewood Drive, North Little Rock, Pulaski County, Arkansas; and

WHEREAS, the North Little Rock City Council has reviewed the application of Brewski's and finds it meets the requirements of law; and

WHEREAS, the City Council of North Little Rock finds the application of Brewski's will promote the public convenience and advantage through providing community hospitality and increasing sales tax revenue.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1. That the private club application of Brewski's Pub and Grub II, Inc. for issuance of a private club license at 2800 Lakewood Village Drive, North Little Rock, Pulaski County, Arkansas, be, and it hereby is, approved by the City Council of the City of North Little Rock.

SECTION 2. That pursuant to Act 1112 of 2017, Brewski's is hereby authorized to file a private club application, Department of Finance and Administration, Alcoholic Beverage Control Division, for the location at 2800 Lakewood Drive, North Little Rock, Arkansas. A copy of this Ordinance shall be provided to the Alcoholic Beverage Control Division, Department of Finance and Administration along with the ABC private club and retail beer application of Brewski's.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5. It is hereby found and determined that the approval of the private club

application as provided for herein is immediately necessary in order to insure the proper and orderly development of the property identified herein and the proper and orderly broth of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect on the date set forth below.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

Mayor Terry C. Hartwick

FOR CONSIDERATION ONLY

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

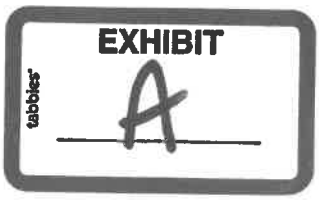
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:40 A.M. _____ P.M.
By A. Fields
DATE 6-6-23

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Ellsberry



APPLICATION FOR PRIVATE CLUB PERMIT
MUST BE NON-PROFIT CORPORATION
on file at Arkansas Secretary of State's Office

INSTRUCTIONS

1. Answer all questions correctly and in full. **PLEASE PRINT IN INK OR TYPE.**
NOTE: FORMS MUST BE NOTARIZED.

APPLICATION MUST BE ACCOMPANIED BY CRIMINAL BACKGROUND INVESTIGATION RESULTS (FORMS AND INSTRUCTIONS ENCLOSED) or HAVE MET WITH LIVESCAN FOR CRIMINAL BACKGROUND RESULTS.

2. Permit fee is $1,500.00 for "wet" areas and $3,000.00 for "dry" areas. Submit half of this amount when making application after December 1 and before May 1. **NO CASH.** If application is refused, one-half of the application fee is refunded.

3. Applicant must be a citizen of the United States, or a permanent resident alien (must provide a copy of green card), and a resident of Arkansas. Applicant must also be a resident of the county in which application has been made, or live within 35 miles of the premises to be permitted.

4. The following additional materials must be submitted with your application:

   a. Pursuant to ACT 1112 of 2017, all new private club applications must be submitted with an ordinance from the governing body of the county or municipality in which the private club wishes to be located, approving the application.

   b. A current list of names and addresses of all members (minimum of 100). Husbands and wives are considered <u>one</u> membership unit. LIST MUST BE TYPED AND IN ALPHABETICAL ORDER.

   c. A copy of the Articles of Incorporation, all amendments to the articles, and By-Laws of the club.

   d. Non-profit corporation papers must reflect date that articles were filed with the Arkansas Secretary of State; non-profit must have been filed at least one year prior to application.

   e. Copy of minutes authorizing this application.

   f. If the non-profit corporation does not own the property, a copy of the lease, option to lease, option to purchase, or buy-sell agreement **in favor of the non-profit corporation** must be attached, along with a copy of the floor plan (8 ½ x 11). **THE FLOOR PLAN SHOULD SPECIFICALLY IDENTIFY ANY DESIGNATED OUTDOOR SERVICE AREAS THAT MIGHT BE COVERED BY THE PERMIT.**
   NOTE: FEIN (Federal Employer Identification Number) is required for all corporations/LLC's.

   g. A minimum of three (3) pictures of the outlet or building site. The pictures should show a front, back and side view of the **exterior** of the building. If the primary business is of serving food, you must provide a sample menu.

   h. You must furnish a file-marked copy of the annual report required by ACT 569 of 2007 that was filed with the Arkansas Secretary of State's office.

MAIL DIRECTLY TO: Alcoholic Beverage Control Division
101 East Capitol, Suite 401
Little Rock, Arkansas 72201

WHEN YOUR APPLICATION HAS BEEN ACCEPTED, A NOTICE FOR PUBLICATION, A SIGN FOR POSTING OF THE PREMISES, AND A FORM FOR CERTIFICATION OF SUCH POSTING WILL BE FORWARDED TO YOU WITH NECESSARY INSTRUCTIONS.

STATE OF ARKANSAS
ALCOHOLIC BEVERAGE CONTROL DIVISION

APPLICATION FOR PRIVATE CLUB PERMIT

Private Club _____

Permit No. _____

We hereby make applications for permits to serve alcoholic beverages on our premises to the club's adult members, members of their families over the age of 21, and duly qualified guests.

Brewski's Pub & Grub II, Inc. FEIN# 93-1594733
Non-Profit Corporation

APPLICANT ON BEHALF OF CLUB Brad (First) Stephen (Middle) McCray (Last)

HOME ADDRESS [redacted] (Street) [redacted] (City) [redacted] (Zip) Pulaski (County)

BUSINESS NAME Brewski's Pub & Grub

BUSINESS ADDRESS 2800 Lakewood Village Dr. (Street) North Little Rock (City) 72116 (Zip) Pulaski (County)

Is proposed location inside or outside city limits? Yes

Does the club own the premises? No If leased, give name and address of owner:

Lakewood Village Shopping Park, LLC 2851 Lakewood Village Dr., North Little Rock, AR 72116

Is your establishment primarily engaged in the business of serving food for consumption on the premises? Yes

Under which system of dispensing alcoholic beverages will the club operate?

Pool/Revolving Pool/Revolving Locker _____

Does anyone now hold an alcoholic beverage permit a this location? No If so, give name, address and permit no. (s) _____

Amount of Dues $ 0.00 ANNUAL (X) MONTHLY ( )

Give names and addresses of all officers/directors of the non-profit organization:

NAME	TITLE	ADDRESS
Brad McCray	Director	[redacted]
Lindsey McCray	Director	[redacted]
Kathy McCray	Director	[redacted]

Has any member of the club's board of directors or other governing body, or any club officer, been under the sentence, whether suspended or otherwise, of any court for the conviction of a felony within two (2) years preceding the date of this application? YES ____ NO _X_ If yes, please explain _____

Signed this _____ day of _____, _____.

_____
Signature of Applicant/Managing Agent

_____
Official Title

Subscribed and sworn to before me this _____ day of _____, _____.

_____
Notary Public

My Commission Expires: _____

Brewski's PUB & GRUB

Dear Mayor and Council Members,

I'm excited to announce that Brewski's Pub & Grub has identified a location in North Little Rock to expand our operations into! We look forward to joining the community with our proposed location at 2800 Lakewood Village Dr. in the Lakewood Village Shopping Center. I respectfully ask the City Council to approve my application to ABC for a private club application and provide me with the ordinance required for me to complete the application process. I've attached my application to ABC for your review.

Brewski's flagship location, located at 315 Main St. in Downtown Little Rock, is a community focused and award-winning concept that has been recognized as The Best Sports Bar in Arkansas by the Arkansas Times Readers Choice Award 3 years in a row and we can't wait to bring our proud product North of the River.

This proposed location is projected to create approximately 40 new jobs for the community and provide a welcome and needed amenity for the area. I look forward to joining the North Little Rock business community and I appreciate your support.

Sincerely,

Brad McCray