Arizona State Liquor Board Hearing Minutes  
May 7, 2020

Members Present: Troy L. Campbell – Chair, Michael N. Widener, Jeffrey K. Oravits, and Lynn Shulman

Members Absent: Walter W. Jahn – Vice Chair

Counsel Present: Michael Raine, Assistant Attorney General

Staff Present: Denise Bale, Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on May 7, 2020, at 10:07 a.m. with Mr. Campbell presiding. Google Meet was utilized for facilitating the meeting. Board members, staff, and all parties participated telephonically.

Roll Call

Mr. Jahn was absent. All other members were present.

B. Election of Officers – Chair and Vice Chair

Motion to elect Troy Campbell as Chair
Second
Yay
Nay
Abstain
Disposition

Motion to elect Walter Jahn as Vice Chair
Second
Yay
Nay
Abstain
Disposition
C. 10:00 a.m. Agenda: Review, consideration and action

1. Beer and Wine Store Liquor License, Application No. 80222 – Original Application

Raphael Sean Piche, Agent
Family Dollar Store #24543
1340 W. Ajo Way
Tucson, AZ 85713

This matter is set for hearing because the City of Tucson recommended disapproval based on concerns of oversaturation of liquor licenses in the community, and public safety. The Applicant, Family Dollar Store #24543, and its Agent, Raphael Sean Piche, did not appear at the hearing and were represented by Andrea Lewkowitz. Jacinta Figueroa appeared on behalf of the City of Tucson. Subsequent to this matter being set for hearing, the Applicant filed a request to withdraw its application. The City of Tucson does not object to the application withdrawal.

Motion to accept application withdrawal - Widener
Seconded - Oravits
Yay - Widener, Oravits, Shulman, Campbell
Nay - None
Abstained - None
Disposition - Application withdrawal accepted

2. Beer and Wine Store Liquor License, Application No. 80223 – Original Application

Raphael Sean Piche, Agent
Family Dollar Store #26053
5089 S. Midvale Park
Tucson, AZ 85746

This matter is set for hearing because the City of Tucson recommended disapproval based on concerns of oversaturation of liquor licenses in the community, and public safety. The Applicant, Family Dollar Store #26053, and its Agent, Raphael Sean Piche, did not appear at the hearing and were represented by Andrea Lewkowitz. Jacinta Figueroa appeared on behalf of the City of Tucson. Subsequent to this matter being set for hearing, the Applicant filed a request to withdraw its application. The City of Tucson does not object to the application withdrawal.

Motion to accept application withdrawal - Oravits
Seconded - Widener
Yay - Oravits, Widener, Shulman, Campbell
Nay - None
Abstained - None
Disposition - Application withdrawal accepted


Raphael Sean Piche, Agent
Family Dollar Store #26302
5530 S. 12th Avenue
Tucson, AZ 85706

This matter is set for hearing because the City of Tucson recommended disapproval based on concerns of oversaturation of liquor licenses in the community, and public safety. The Applicant, Family Dollar Store #26302, and its Agent, Raphael Sean Piche, did not appear at the hearing and were
represented by Andrea Lewkowitz. Jacinta Figueroa appeared on behalf of the City of Tucson. Subsequent to this matter being set for hearing, the Applicant filed a request to withdraw its application. The City of Tucson does not object to the application withdrawal.

Motion to accept application withdrawal -
Seconded - Shulman
Yay - Widener
Nay - Shulman, Widener, Oravits, Campbell
Abstained - None
Disposition - None
Application withdrawal accepted

4. Bar Liquor License No. 06040017, Application No. 79498 – Person Transfer Application

Art G. Georgian, Agent
North Rimrock LLC
Pete’s Place
4145 East Highway 260
Star Valley, AZ 85541

This matter was continued from the April 2, 2020, meeting. This matter is set for hearing because the Star Valley Town Council recommended disapproval based on noncompliance with Town Code. The Applicant, North Rimrock LLC, and its Agent, Art Georgian, appeared at the hearing and were represented by Jake Curtis. Timothy Wild appeared in support of the Applicant. Town Attorney/Manager Timothy Grier appeared on behalf of the Town of Star Valley.

Mr. Curtis began by stating that there is nothing with respect to capability, qualification and reliability that would disqualify Mr. Georgian or Mr. Wild from holding a liquor license. Neither Mr. Georgian nor Mr. Wild have any liquor violations. Mr. Georgian will be the manager, and the premises have been in the same condition for the past 10 years. There were Board questions.

Mr. Grier addressed the zoning issue. The property is within the boundaries of the Town of Star Valley. There are individuals who live in the trailer that is parked on the property. The property is zoned C-3 which does not allow a residence on the property unless it is on the second floor of the premises. Mr. Grier described very serious zoning violations that are the subject of the Town’s Complaint No. CV2020LCS2, filed against Rimrock LLC and its principals. Mr. Grier requested this matter be continued by the Board until after the June 1, 2020, adjudication of the complaint in the Magistrate Court of the Town of Star Valley. There were Board questions.

Mr. Curtis and Mr. Grier gave closing statements. There was Board discussion.

Mr. Widener made a motion for approval of the license. Because of the location for a long duration of this liquor-licensed premises, I find that there is no evidence in the record to overcome the presumption that the location is appropriate. With respect to capability, qualification and reliability, I agree that is foolish to tell the Town Council that you will do something and then not do it. The applicant has completed Title 4 basic and management training. Seeing nothing else that tells me that the manager is not capable, qualified or reliable, then I see no basis not to find that in fact he is.

Motion to grant license -
Seconded - Widener
Yay - Oravits
Nay - Widener, Oravits, Shulman, Campbell
Abstained - None
Disposition - None
License granted
C. Minutes: Review, Consideration and Action

Motion to approve minutes of
March 5, 2020 - Campbell
Seconded - Widener
Yay - Campbell, Widener, Shulman, Oravits
Nay - None
Abstained - None
Disposition - Minutes approved

D. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda

There are no matters set for hearing in June. The Board will meet again on Thursday, July 9, 2020. The Google Meet call-in number and PIN will be distributed prior to the meeting.

E. Call to the Public

None.

Meeting adjourned at 11:29 a.m.

[Signature]
Denise M. Bale
Administrator of the
Arizona State Liquor Board

[Date] 10/28/20