

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Ray "Butch" Kisiah, Parks and Recreation Director

SUBJECT: Request from the Chapel Hill Downtown Partnership to establish a beer/wine garden venue on the Wallace Parking Deck Plaza

DATE: June 22, 2009

PURPOSE

The purpose of this memorandum is to seek Council approval of the request of the Downtown Partnership to provide a beer and wine garden at special events hosted on the Wallace Parking Plaza this summer. Approval of the attached resolution would authorize the Manager to issue a permit to the Downtown Partnership for this purpose.

BACKGROUND

In May 2005, the Council enacted an Ordinance and adopted a Resolution authorizing service of malt beverages and unfortified wine at special events at the Wallace Parking Plaza and other Town properties upon the approval by the Council. Please see the attached link for additional information on the Council's establishment of this policy:

<http://townhall.townofchapelhill.org/agendas/ca050509/15-Serving%20Alcoholic%20Beverages%20at%20Special%20Events%20Downtown.htm>.

DISCUSSION

In cooperation with the Parks and Recreation Department, the Chapel Hill Downtown Partnership has requested authorization to provide the service, sale, and possession of unfortified alcoholic beverages for a beer & wine garden setting to be provided during the July and August 2009 Locally Grown Summer Music Series events hosted on the Wallace Plaza in downtown Chapel Hill, as shown in the attached proposal letter. The main points of the letter include the following:

1. Upon approval from the Town, the Downtown Partnership will apply for and acquire a North Carolina Alcoholic Beverage Control Commission Special Use permit required for the sale and consumption of alcoholic beverages at an Outdoor Special Event held in the Town of Chapel Hill. A copy of the approved North Carolina Alcoholic Beverage Control Commission permit shall be supplied to the Town. The Chapel Hill Downtown Partnership will work jointly with the Town to provide for a safe and well managed operation.

2. Under the rules and regulations of the North Carolina Alcohol Beverage Control Commission's Special One-Time Permit for the Sale of Alcoholic Beverages, the Chapel Hill Downtown Partnership will apply as a non-profit organization and agree to provide sufficient staffing to operate the beer/wine garden.
3. In addition to meeting the criteria for such a venue as specified in the Code of Ordinances Chapter 3, Sec. 3-5: Possession and consumption of malt beverages and unfortified wines at special events in municipal parking lots and on the top level of the Wallace Parking Plaza, the Downtown Partnership is aware that the North Carolina Alcoholic Beverage Commission permit application requires signature and approval from the Police Department, as well as a copy of the written agreement between the Downtown Partnership and the Town (owner of the premises) attesting the approval for the use of the Wallace Plaza. The Chapel Hill Police Department has been informed of this proposal and will be suggesting additional security measures.

Upon review of the request and background material as presented by the Downtown Partnership, along with discussions with the Director of Parks and Recreation, I am recommending to the Council that approval be granted for this request to allow the possession and consumption of unfortified alcoholic beverages during the Locally Grown Series music concerts scheduled for July 23 and August 20, 2009.

FISCAL NOTE

Any profits from the sale of beer and wine will go toward the production costs of the Locally Grown events. This should reduce the Town's cost of producing these events.

RECOMMENDATION

That the Council adopt the attached resolution approving the Downtown Partnership's request to serve beer and unfortified wine during the Locally Grown Series music concerts in July and August 2009.

ATTACHMENT

1. Letter from Chapel Hill Downtown Partnership.