

**A RESOLUTION APPROVING THE MUNICIPAL RIVERFRONT DEVELOPMENT
DOWNTOWN DINING DISTRICT LIQUOR LICENSE**

WHEREAS, the City of Fort Wayne has created the Municipal Riverfront Development Project, known as the Downtown Dining District, to continue the current progress in the redevelopment of downtown; and

WHEREAS, Indiana Code 7.1-3-20, authorizes the issuance of certain, non-transferable permits to sell alcoholic beverages for on-premise consumption in a restaurant located on land or in a historic river vessel within a municipal riverfront development project; and

WHEREAS, to be considered for a recommendation for approval of a 221-3 Riverfront License from the Indiana ATC, an applicant submit a Downtown Dining District Liquor License Application and shall enter into a formal written agreement with the municipality; and

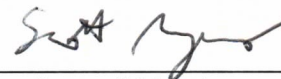
WHEREAS, The Pearl Restaurant and Events, LLC has submitted an application for a Downtown Dining District Liquor License, a copy of which is attached hereto as Exhibit 1 and is prepared to enter into a formal written agreement with the City of Fort Wayne, a copy of which is attached hereto as Exhibit 2; and

WHEREAS, the application and agreement meet the criteria established by Resolution R-105-15 as adopted by Common Council;

NOW, THEREFORE, BE IT RESOLVED, The Common Council of The City of Fort Wayne, Indiana:

Section 1. That the City of Fort Wayne Common Council hereby approves the "Downtown Dining District" application and agreement between The City of Fort Wayne and The Pearl Restaurant and Events, LLC and hereby provides the required local recommendation to the Indiana Alcohol and Tobacco Commission for a 221-3 Riverfront license to be issued to The Pearl Restaurant and Events, LLC; and

Section 2. That this resolution shall be in full force and effect from and after its passage and approval by the Mayor, unless rescinded by resolution by this legislative body.



Council Member

APPROVED AS TO FORM AND LEGALITY



Malak Heiny, City Attorney



COMMUNITY DEVELOPMENT

Thomas C. Henry, Mayor

Engage • Innovate • Perform

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne IN 46802
260.427.1127

www.fwcommunitydevelopment.org

Downtown Dining District Liquor License Application

Business Entity Making this Application: The Pearl Restaurant and Events, LLC, dba Amore

Applicant's Name: Chuck Surack

Applicant's Address: 7100 W Jefferson Blvd City: FTW State: IN Zip: 46804

Applicant's Phone (daytime): 260-438-9915 Email: nancy.townsend@surack.com

Please include a thorough narrative for each of the items below: [Please see attached document for responses](#)

1. Provide description (including renderings) of plans you have to improve the facility in which you will operate
2. The expected timetable for work and business commencement
3. Explain the overall concept and unique features of the proposed establishment
4. Describe the level of control and participation the owners will have in the day-to-day operation of the business.
5. Explain how your operation plans to focus on a dining, entertainment or cultural experience rather than an alcohol consumption experience
6. Describe how your venue/operation will draw people to Downtown Fort Wayne
7. Provide information regarding the proposed permit holder's related experience

Permits are not transferable and any renewal is subject to compliance with the terms of the agreement with the City of Fort Wayne. The permits shall not be pledged as collateral or subject to any lien judgment, property settlement agreement, or third party claim.

An Equal Opportunity Employer



Downtown Dining District - Liquor License Application Eligibility Requirements and Evaluation Criteria

The Downtown Dining District is a project district where 3-way liquor licenses are made available to eligible dining, entertainment, and cultural establishments as a way to encourage dining in Downtown Fort Wayne. This District was made possible via state legislation and an Ordinance passed by the City of Fort Wayne Council that designated the District and adopted eligibility requirements.

Eligibility Requirements:

In addition to complying with all building, health, zoning laws, ordinances and all rules and regulations of the Indiana State Alcohol and Tobacco Commission (ATC), and local, state, and federal government's applicants must also meet the following local requirements annually in order to be eligible to apply or renew:

1. Applicant's establishment must be located within the Downtown Dining District boundaries.
2. The focus of operation must be on a dining, entertainment or cultural experience rather than solely an alcohol consumption experience.
3. The establishment cannot be a private club, nightclub, or adult entertainment venue.
4. Fees: Applicant must submit a \$1,000 non-refundable application fee with application.

District Requirements:

Applicants will enter into a formal written agreement with the City of Fort Wayne committing to ongoing compliance with the following district requirements, including annual reporting, and verification of compliance.

1. Establishments receiving Riverfront liquor licenses within the Downtown Dining District are required to maintain an annual ratio of non-liquor sales to total sales of at least 50%.
2. The licensed establishment will be actively open for business and fully operational during a minimum of three hundred (300) days per year, and a minimum of five evenings (5) per week.
3. The Applicant shall comply with all local and ATC application and renewal procedures.
4. Annual dues in the amount of \$2500 must be paid for membership in the *Downtown Dining Association*, payable through the Downtown Improvement District.



Evaluation Criteria:

The recommendation to support the state permit application will be based on how strongly the applicant meets the following criteria:

1. Granting of the license will benefit the purposes of the district, i.e. to become a cultural and dining destination in Downtown Fort Wayne.
2. Granting of the license and the business activity will not be detrimental to the property values and business interest of others in the district.

The above criteria will be evaluated on the following:

1. The Physical Location
2. The Business Plan
3. Reputation/Experience of Ownership

Attachments to include:

1. A copy of your completed Indiana State form entitled "Application for New or Transfer Permit" along with any attachments. (Please redact any personal Social Security numbers)
2. A signed copy of this Application, including the Applicant's Certification
3. A copy of your business plan
4. A check made payable to the City of Fort Wayne in the amount of \$1,000.

Submit this form and all attachments to: City of Fort Wayne – Community Development, Attention: Development Finance - Downtown Dining District, 200 E. Berry Street - Suite 320, Fort Wayne, IN 46802.



APPLICANT'S CERTIFICATION

I hereby certify that all information in this application and all information furnished in support of this application are true and complete to the best of the Applicant's knowledge and belief.

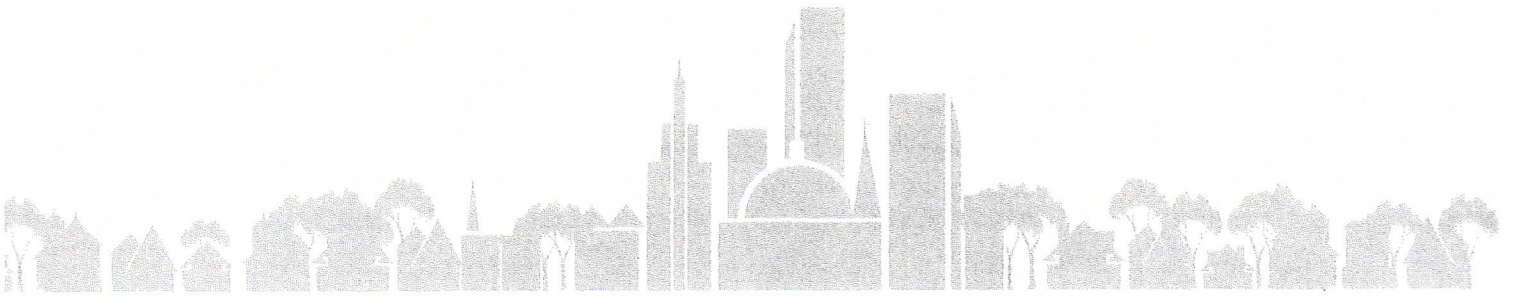
I understand that the project described in this Application may **not** receive a Downtown Liquor License.

I certify that I have read and understand and agree to the above eligibility requirements and evaluation criteria. I further understand and agree to enter into a formal written agreement regarding the aforementioned district requirements, to be approved by the City of Fort Wayne Common Council and the Mayor.

I hereby release and discharge the City of Fort Wayne, together with their respective subsidiaries, affiliates, employees, agents, directors and other related parties, from any and all rights and obligations, duties, claims, debts, actions, causes of action or liabilities arising out of, or relating to, the seeking or receipt of a Downtown Dining District Liquor License pursuant to this Project Application and related documents.

Applicant's Signature: Charles J. Surack Date: 07/02/24

Printed Name: Charles J. Surack Title: Manager



**DOWNTOWN DINING DISTRICT (MUNICIPAL RIVERFRONT) LIQUOR LICENSE APPLICATION
NARRATIVE RESPONSES**

The Pearl Restaurant and Events, LLC - dba Amore

1. Provide description (including renderings) of plans you have to improve the facility in which you will operate

Amore will be an Italian themed restaurant, inspired by the cultural and food experiences of the Surack family during a recent trip to Italy. Their love of Fort Wayne and desire to bring and develop unique experiences to our community for all to enjoy serves as the motivation and is the basis of their plan to design, develop, construct and operate Amore in downtown Fort Wayne. While Amore will be an Italian themed restaurant, it will also include steakhouse and seafood items on the menu and deliver style and taste in a way the Fort Wayne community enjoys and expects.

Amore will be located in a 5,150 square foot space within The Pearl, a new mixed-use building located in downtown at the northwest corner of Main Street and Maiden Lane, just west of The Bradley. The Pearl, along with the Pearl Arts Center adaptive reuse project under construction across the street to the north, also includes the development and reconstruction of a new streetscape along Pearl Street, Maiden Lane, Main Street and Webster Street helping to define the emergence of "The Pearl District." The streetscape portion of the project along Pearl Street was designed in partnership with the City and is intended to serve as an extension of The Landing and to connect to the Urban Trail along Harrison Street.

Amore is located in a street level space at the northeast corner of The Pearl. There will be seating for up to 164 guests inside the walls, 14 bar top seats; there are an additional 32 seats outdoors along Pearl Street. Amore will also offer a private dining room that will provide flexible seating arrangements for private events for up to 32. Please see attached floor plan and renderings (4 total pages).

2. The expected timetable for work and business commencement

The Pearl is currently nearing the completion of construction - the Certificate of Occupancy is expected at the end of August. Construction drawings for Amore have been approved the State Building Department and all required construction permits have been obtained. Build out of the Amore space is underway and is anticipated to be completed near the beginning of November, with the restaurant opening later that month/early December of this year.

3. Explain the overall concept and unique features of the proposed establishment

Amore will be the premier choice for downtown dining, offering an Italian inspired menu with steakhouse and seafood selections. People watching, lunch & learn events and social gathering will drive the guest experience.

4. Describe the level of control and participation the owners will have in the day-to-day operation of the business

Chuck and Lisa Surack will provide oversight of all facets of the operation and be present in the establishment for those purposes as well as dining on a frequent basis. They have been instrumental from the beginning of the concept. The design and layout of the restaurant have been approved by the Suracks; they will also approve all furniture and equipment, the menu, the point-of-sale system, the hours of operation and the uniforms of the employees and servers.

5. Explain how your operation plans to focus on a dining, entertainment or cultural experience rather than an alcohol consumption experience

As part of offering elevated customer service, Amore will be food focused, providing high quality Italian, steakhouse and seafood offerings that will include a menu ranging from appetizers to desserts. We will complement our food menu with a diverse beverage menu including local, domestic and international beers, domestic and international wines, hand crafted cocktails and alcohol-free mocktails.

6. Describe how your venue/operation will draw people to Downtown Fort Wayne

Amore will provide an elevated customer experience and unsurpassed quality in food and beverage offerings. The non-intimidating menu and stylish ambiance will entice people to come to the restaurant for a first time visit and the quality and uniqueness will keep them coming back. Amore is envisioned to be the restaurant of choice for everything from intimate dinners and prom dates to family celebrations and holiday work parties. Providing an outdoor dining option along the newly constructed, attractive Pearl Street streetscape will provide a much sought after dining experience for hometown folks as well as visitors. We also plan to apply for a "Designated Permittee" DORA license to allow guests to grab a drink and walk around our beautiful downtown.

7. Provide information regarding the proposed permit holder's related experience

The proposed permit holder owns and operates multiple businesses in the region, a number of which are restaurants and entertainment venues including The Clyde Theatre, The Club Room and The Crescendo Coffee and More. The proposed permit holder has been an active successful businessman in the community for over four

decades, including being the founder of Sweetwater Sound, which started as a mobile recording studio out of the back of a Volkswagon bus and grew to become the nation's largest online music instrument retailer.

AMORE – BASIS OF BUSINESS STRATEGY

The existing Italian restaurants downtown are casual concepts focused on pizza and chicken wings. Amore is a full-service restaurant offering more traditional Italian cuisine with strong steakhouse and seafood selections. We will serve lunch and dinner 6+ days a week and expect to welcome 1,500-2,000 guests weekly. This upscale but not uptight restaurant will attract local guests as well as business and leisure travelers. The proximity to lodging will offer people from outside the area a taste of Italy enhanced by Fort Wayne's heartfelt hospitality.

Social and family gatherings will be welcomed in our dining area which can seat up to 150 people. Lunch & Learn, business meetings and fundraising events can have additional privacy in the private dining area. Our 14-seat bar is perfect for single diners who live upstairs or those traveling for business. The patio area with seating for 32 guests is perfect for al fresco dining and people watching along the DORA corridor. Amore fits nicely with Fort Wayne's commitment to elevating the downtown experience for locals and visitors.

The Peal Restaurant and Events, LLC ownership and management will apply the same successful business development, operational and marketing approach and strategies as it has applied and implemented at other restaurants/establishments they own and operate in Fort Wayne. This is a tested, proven, successful strategy/model.

EXHIBIT



- LEGAL ENTITY BOUNDARY
- FAMILY SEATING
- BAR DINING
- OUTDOOR ZONE

NAME: TBD
N.T.S.

Surack Enterprises Restaurant at The Pearl

NOTE: BEER, LIQUOR, AND WINE STORAGE NOT SPECIFICALLY NOTED WILL BE STORED IN CLOSED CABINETS, REFRIGERATION WITHOUT WINDOWS, OR IN BACK OF HOUSE NOT VISIBLE TO THE GENERAL PUBLIC.







BILL NO. R-24-07-19





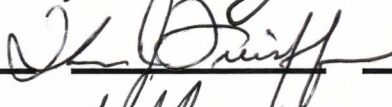




**REPORT OF COMMITTEE ON REGULATIONS
August 13, 2024**

**Scott Myers Chair
Michelle Chambers Co-Chair
All Council Members**

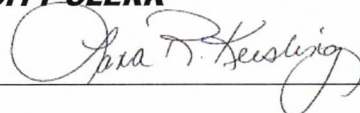
A Resolution approving the Municipal Riverfront Development Downtown Dining District Liquor License

The Pearl Restaurant and Events, LLC

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
<u>BENDER</u>			
<u>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Myers.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Myers, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: August 13, 2024




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 Resolution No. R-24-07-19 on the 13th day of August, 2024

ATTEST:

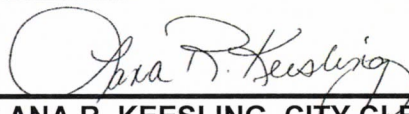


 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

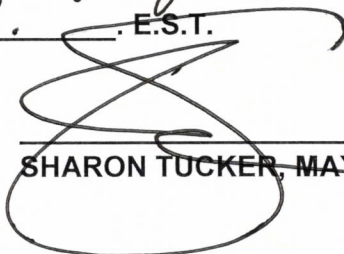
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of August 2024, at the hour of 2:10 o'clock P.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of August 2024, at the hour of 11:51 o'clock A.M. E.S.T.

FORT WAYNE, INDIANA
RECEIVED
 AUG 15 2024
 LANA R. KEESLING
 CITY CLERK



 SHARON TUCKER, MAYOR