



Aurora's Economic Development Partnership

To:
From: David Hulseberg, President/CEO, Invest Aurora
Date: 2/8/2017
Re: Proposed license agreement for use of Tivoli Plaza for outdoor seating.

Overview	In response to the success of the outdoor concerts at Tivoli Plaza in the summer of 2016, Phil Cullen of Ballydoyle restaurant is requesting to enter into an agreement with the City of Aurora to use Tivoli Plaza for outdoor seating in the summer of 2017.
Description of proposed agreement.	The proposed agreement will create a license area which is described in Group Exhibit A. Ballydoyle will be allowed to serve food and liquor in the licensed area until 11:30pm and to play outdoor music until 10:00pm. The proposed agreement allows Ballydoyle to use the licensed area from May 5th to September 27th.
Changes to Time Limitations	In 2016 Ballydoyle was not allowed to occupy Tivoli Plaza after 10:00pm. Phil Cullen asked that the outdoor dining and liquor service be extended until 11:30pm so that RiverEdge Park patrons can take advantage of the outdoor seating after concerts. The outdoor music will not be allowed after 10:00pm to respect any noise abatement concerns of downtown residents.
Conditions	The proposed 2017 agreement requires the installation of a new underdeck system that will be approved by the head building code official. In addition, Ballydoyle will be required to use new painted wooden barriers to provide a more attractive separation for the licensed area.
Recommendation	Invest Aurora staff agree that the outdoor dining and music at Tivoli Plaza provide a valuable amenity to the downtown. The 2016 concerts were a success and the improved underdeck system and painted wooden barriers will improve the overall appearance of the licensed area and provide a more comfortable consumer experience. Invest Aurora recommends approval of the proposed 2017 agreement with the outlined conditions.



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