

June 9, 2011

**Redal Beagle****Susan Moore** to: CityClerkAgenda
Cc: David Bigos, Melanie Sala-Friedrichs

06/09/2011 08:21 AM

----- Forwarded by Susan Moore/COC on 06/09/2011 08:20 AM -----

From: MoeOrlando@aol.com
To: Jay.tibshraeny@chandleraz.gov, trinity.donovan@chandleraz.gov, rick.heumann@chandleraz.gov, jack.sellers@chandleraz.gov, jeff.weninger@chandleraz.gov, william.dermody@chandleraz.gov
Cc: MoeOrlando@aol.com
Date: 06/08/2011 07:38 PM
Subject: (no subject)

June 8, 2011

Dear Mayor and Council members

My wife and I have lived at our current address for over 19 years. We have seen many changes to our surrounding area and we have always been impressed with our city council and staff in regards to listening to the concerns of the neighbors when development occurred. I refer to the "Old Horse Property" across the street from our neighborhood as great example how the business owners (developers), neighborhood and staff worked together to ensure we had a great business park that complemented our neighborhood. However, I am extremely concerned with what is happening at the Redal Beagle. Our neighborhood has been dealing with the loud music noise from the bar for over three years now. To put in perspective, many of you know I have partial hearing in both of my ears and I wear a hearing aid. There are have been many evenings that I leave for work and up to the stop sign, on Commonwealth Ave and Kyrene Road. I can hear the loud music playing from the Redal Beagle. If I can hear the loud music with my partial hearing, I can only imagine how my "hearing" neighbors are dealing with the loud noise.

I don't want to place hardship on a small business owner (I for many years owned a small business and know firsthand how tough it can be to make a living) that is why I'm asking you to renew the liquor license, but please stipulate that there be no music allowed on the patio. The bar owners rationalization that "we are in a tough economy and needs the patio music for a sustainable business", in my mind does not does not trump the desire for the surrounding residents, who have lived in the community for a long time, to have some peace and quit. Thank You for your service to our community.

Patsy and Marlene Orlando
5961 West Commonwealth Ave
Chandler, AZ 85226

43

JUN 09 2011

Chandler



MEMORANDUM **Transportation & Development – CC Memo No. 11-023c**

DATE: MAY 25, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *JKM*

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

SUBJECT: LUP11-0001 REGAL BEAGLE

Request: Extension of Use Permit approval to sell and serve all spirituous liquor within a restaurant and bar (Series 6 Liquor License)

Location: 6045 W. Chandler Blvd., Suite #7
 Southwest corner of Kyrene Rd. and Chandler Blvd.

Applicant: Gregory James Stanfield

The item was continued from the April 14, 2011 City Council meeting in order to allow for a proper neighborhood meeting to be conducted. It was continued again from the May 12 Council meeting in order to allow the applicant's attorney to be in attendance.

RECOMMENDATION

The request is for Use Permit approval to sell and serve all spirituous liquor within a restaurant and bar and outdoor patio (Series 6 Liquor License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval for three (3) years subject to conditions, including a prohibition of music on the outdoor patio. As of this writing, the applicant is not in agreement with the condition that prohibits outdoor music.

BACKGROUND

The subject property is located at the southwest corner of Kyrene Road and Chandler Boulevard within the Kyrene Village Center formerly anchored by Basha's. The center is surrounded on all sides by mostly commercial and industrial uses, including the Paloma Kyrene office/industrial park to the south. The nearest residential neighborhood is south of the southeast corner of the main intersection. The business is a restaurant/sports bar with an outdoor patio on its north side.

The request is to continue operating under the provisions of their 2010 Use Permit approval, which allow amplified music both indoors and on the outdoor patio in accordance with several conditions. The 2010 Use Permit conditions include limiting the music until 10 p.m., having music only two days per week, maintaining a liaison program that allows neighbors to call the bar with any noise issues, and prohibiting unreasonable disturbance of the residential properties. A full list of the conditions approved in 2010 is among the memo attachments.

The facility served alcohol under a Series 12 Restaurant License until 2006 when they received Use Permit approval for one year to serve under a Series 6 Bar License. The license change was prompted by a State audit that found food sales to be short of Series 12 requirements (at least 40% of sales must be in food and non-alcoholic beverages). A three-year extension was granted in June 2007. Per condition, a transfer of ownership in mid-2007 required a new Use Permit, which was approved for one (1) year in October 2007. An extension of the Use Permit was approved in December 2008 that was limited to one (1) year in order to closely monitor a noise issue that was recurring throughout 2008. The recurring noise issue involved music on the outdoor patio that was amplified in violation of the Use Permit conditions. The October 2007 and 2008 approvals both restricted outdoor music to "non-amplified acoustic" only. The Use Permit was renewed and amended in January 2010 with a one (1) year time limit to allow amplified outdoor music under certain conditions, responding to the applicant's complaint that the patio was not useful for music unless it could be amplified. No changes are requested from the 2010 approval.

Outdoor music has been allowed at this location only since the current ownership took over in October 2007. Music regularly disturbed neighbors throughout 2008, largely because it was amplified instead of "non-amplified acoustic" as required by the approved Use Permit. Music did not disturb the neighbors in 2009, during which time the establishment rarely had outdoor music because it found the "non-amplified acoustic" requirement to be unworkable. Since the January 2010 approval that first allowed amplified outdoor music, the music has only disturbed neighbors a handful of times, including in June 2010, Friday April 15, 2011, and Friday April 22, 2011. The disturbances were all from the same one-man band, a reggae artist whose bass can reportedly be heard inside residents' homes with the television on.

The establishment, which has a full menu of American food, provides seating for 125-145 persons, including space for 25 persons at the indoor bar, 40-60 in the main seating area, and 60 on the patio (which has a second bar). Hours of operation are 10 or 10:30 a.m. to 2 a.m. daily.

The subject property, previously occupied by Hitts and Howie's Pub & Eatery, originally received Use Permit approval to sell alcohol under a Series 12 license in 1988, and received amended Use Permit approval in 1992 in order to add a patio. It has been the "Regal Beagle" since 2004. Other liquor Use Permits in the center include Series 10 (Beer & Wine Store) approval for the currently vacant Basha's, Series 6 (Bar License) approval for Kyrene Lanes bowling alley, Series 12 (Restaurant License) approval for Heart Attack Grill, and Series 12 (Restaurant License) approval for India Gate restaurant. Also, CVS Pharmacy, across the street on the southeast corner of the arterial intersection, has a Series 10 (Beer & Wine Store) license.

A Series 6 liquor license allows sales of all types of alcohol both for on-site consumption in individual portions and for off-site consumption. A recommended condition that would limit alcohol sales at this location to those for on-site consumption only.

DISCUSSION

Planning Commission and Staff recommend eliminating music on the outdoor patio and extending the Use Permit for an additional three (3) years. It is recognized that adherence to the conditions approved in 2010 would theoretically result in outdoor music presenting a compatible land use at this location. However, there has been a demonstrated inability to comply with these conditions and, in practice, music on the patio has regularly presented a land use conflict. As such, Planning Commission and Staff recommend prohibiting outdoor music at this location. Planning Commission and Staff still recommend an extension of three (3) years rather than a shorter time period because potential externalities other than outdoor music (e.g. indoor music or litter) have not proven to be problems in recent history.

The 2010 approval included a condition that any change in ownership needs a new Use Permit. Planning Commission and Staff do not recommend including that condition for the subject application because compatibility relies on conformance to the noise-related conditions, regardless of who owns the business. Any change of ownership already requires liquor license approval that is routed through the Planning Division for analysis against the Use Permit conditions, thereby allowing for education of any new owner.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was initially held on March 7, 2011 at the Sunset Branch Chandler Library, though only Staff and two neighbors attended. A second neighborhood meeting was held at the same location on April 4, 2011 that the applicant did attend, as did two neighbors. The neighbors asked if any changes would be made to the music (none have been requested) and reported that there had been no noise issues for them since last June.
- The Police Department has been informed of the application and had no issues or concerns prior to April 20.
- Four neighbors have contacted Staff in opposition to outdoor music due to noise disturbances on the evenings of April 15 and April 22. Planning Commission's hearing occurred on April 20. One of the neighbors sent an email summarizing noise issues up through the end of April, which is among the memo attachments.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 6 Opposed: 0 Absent: 1 (Veitch)

Commission heard testimony from two neighbors opposed to outdoor music and also from the applicant and one of his managers. The neighbors stated that only one artist has been a problem for them over the previous few years. This artist had played the previous Friday and disturbed the neighbors. The applicant team stated that this artist would be playing the following Friday, then not again until the fall. The applicant team requested a continuance to work out an updated plan to contain the music, but the continuance was not granted. Commissioners expressed particular frustration with the fact that the neighbors could not reach the applicant by phone while the music was playing the previous Friday, and that the bar staff did not adjust the volume on their own.

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Community Commercial (C-2) zoning, recommend approval of LUP11-0001 REGAL BEAGLE subject to the following conditions:

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. No alcohol shall be carried outside of the building into the parking lot or off-premises. Sales of "to-go" liquor shall be prohibited.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
6. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. The applicant shall provide security on the weekends, if necessary.
8. The applicant shall maintain a liaison program with the adjacent neighborhood that allows neighbors to directly contact a representative of the establishment with their concerns.

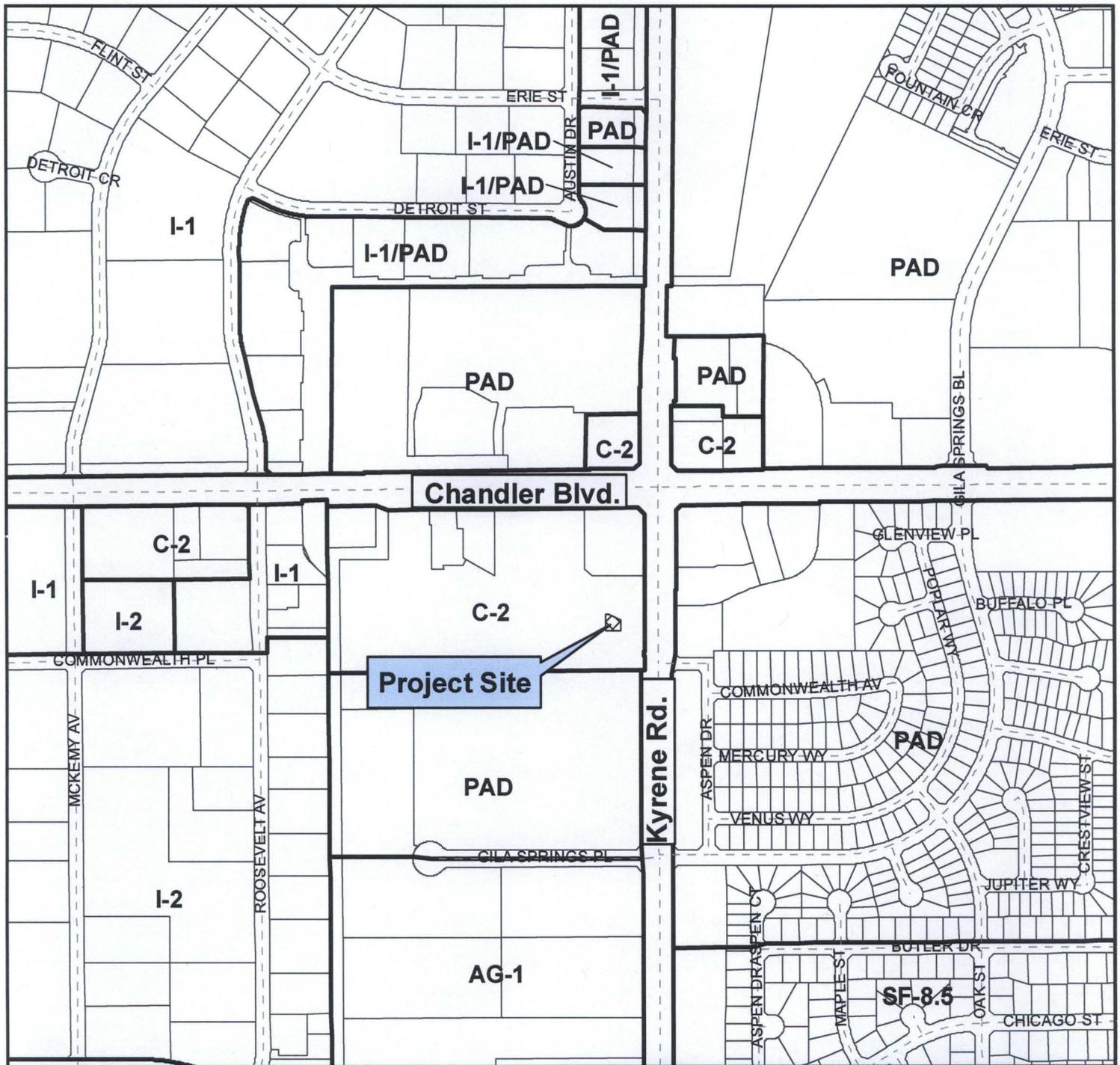
9. The applicant shall work to mitigate litter issues resulting from the use.
10. The patio and surrounding area shall be maintained in a clean and orderly manner.
11. Indoor music shall not unreasonably disturb area residential properties.
12. Outdoor music shall be prohibited.

PROPOSED MOTION

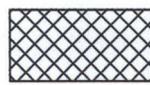
Move to approve LUP11-0001 REGAL BEAGLE Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Applicant Narrative
5. Neighbor opposition email
6. 2010 Use Permit approval
7. 2008 Use Permit approval
8. October 2007 Use Permit approval
9. June 2007 Use Permit approval

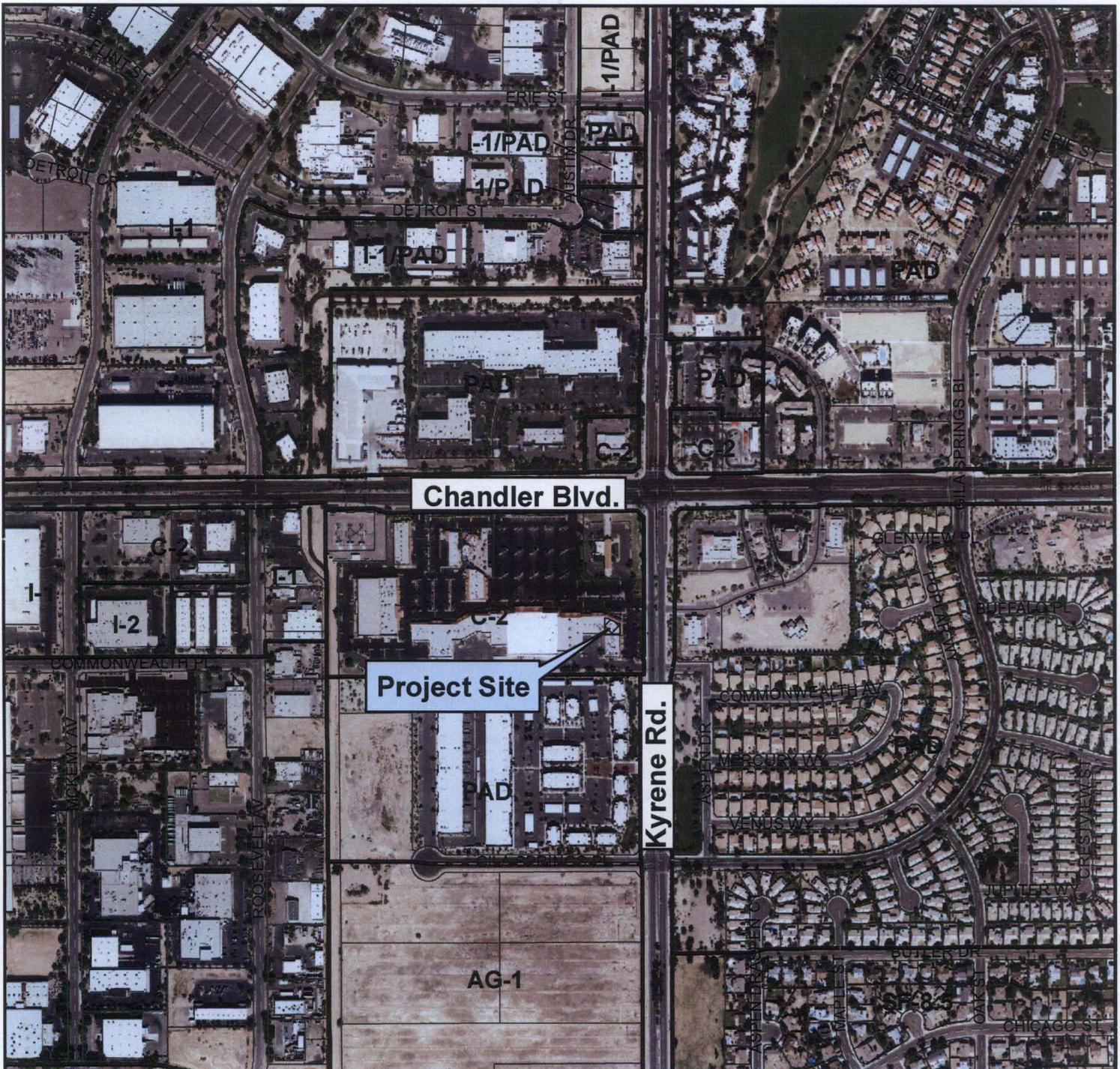


Vicinity Map



LUP11-0001

**Regal Beagle
Liquor Use Permit**



Project Site

Chandler Blvd.

Kyrene Rd.



Vicinity Map

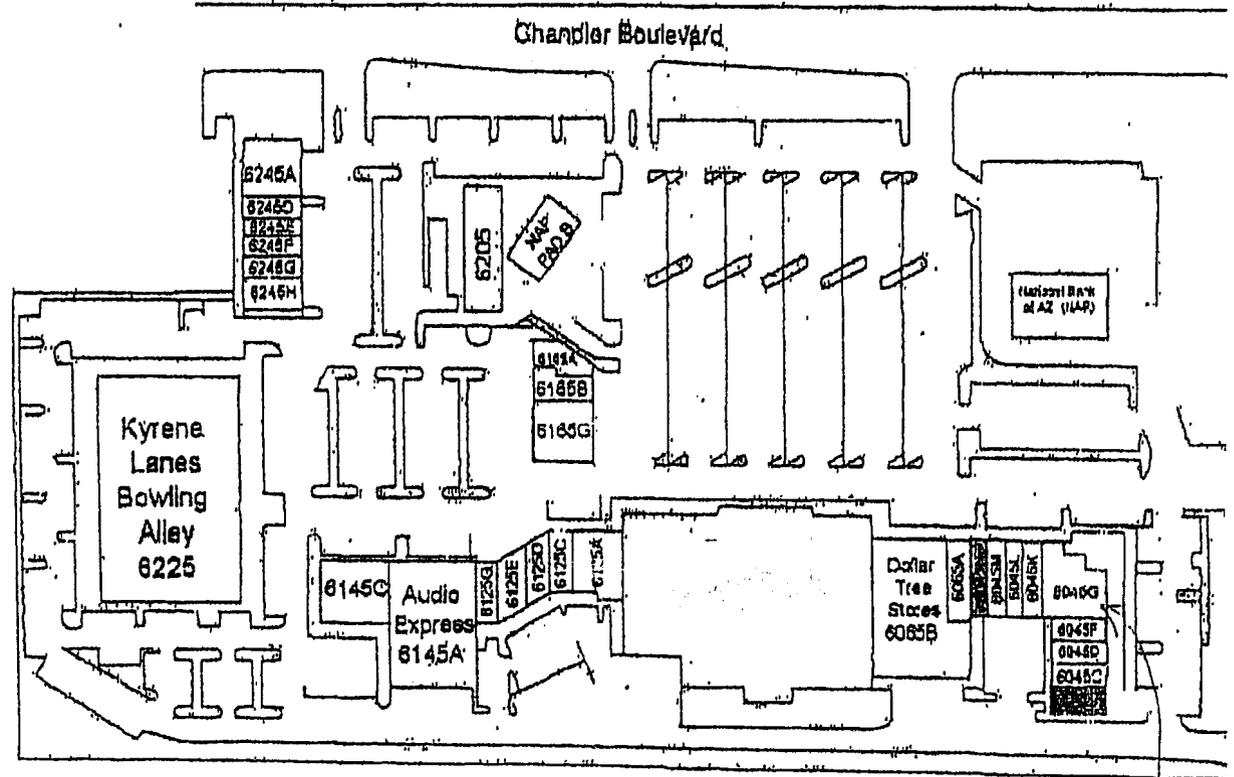


LUP11-0001

**Regal Beagle
Liquor Use Permit**



Kyrene Village
6045 - 6245 W. Chandler Blv.
Chandler, AZ 85226 - 3440



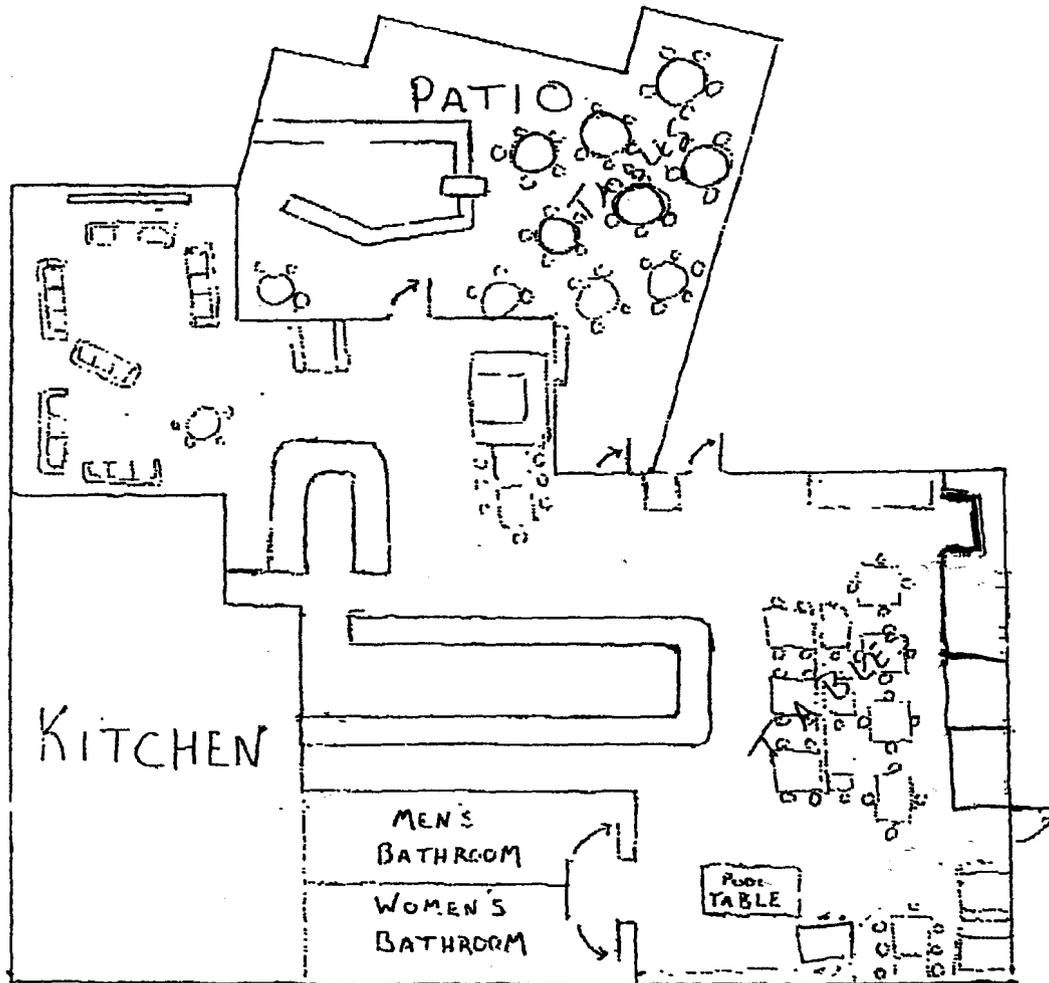
Res/le
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LP11-0001

REGAL BEAGLE FLOORPLAN

Interior: 3930 sq.ft.

Exterior: 1200 sq.ft. patio



LUPII-0001

January 17, 2011

Bill Dermody,

This letter is regarding a request for an extension on the existing Series 6 liquor license on behalf of the Regal Beagle Sports Lounge located at 6045 West Chandler Blvd, Suite #A-7, Chandler, AZ. Our business operations have not have changed from the previous year. The Regal Beagle employs 12 people and is open for business 7days a week, 365 days a year. Our hours of operation are still:

Monday – Friday: 10:30am – 2:00am

Saturday & Sunday: 10:00am – 2:00am

Karaoke: Wednesday, Friday, & Saturday 9:00pm – 2:00am

Music on the Patio: Occasionally Wednesday & Friday 6:00pm – 10:00pm

Thank you for your consideration with my request for an extension on my liquor license.

Sincerely,

From: "Jeanette Hoskovec" <jhoskovec1@cox.net>
To: <jay.tibshraeny@chandleraz.gov>, <kevin.hartke@chandleraz.gov>, <Trinity.Donovan@chandleraz.gov>, <rick.heumann@chandleraz.gov>, <jack.sellers@chandleraz.gov>, <jeff.weninger@chandleraz.gov>
Date: 05/02/2011 06:59 PM
Subject: Regal Beagle Documentation

Dear Mayor and City Council Members,

I am attaching a copy of my documentation concerning the renewal of a Series 6 Bar license for the Regal Beagle Sports Bar. My neighbors and I have been dealing with the issue of loud music on the patio of the Regal Beagle for 3 years now. A year ago a liaison program was established with unsatisfactory results. We would like the City Council to renew the bar license with the stipulation that no music be allowed on the patio. Please look at the 2009-2011 documentation and you will see that we have done our best to try to accommodate the Regal Beagle but it has not been returned. Basically we have been ignored, lied to and treated with disrespect. If you have any questions, please feel free to contact me.

Thank you.

Jan Hoskovec
5971 W. Commonwealth Ave.
Chandler, AZ 85226
Home: 480-940-0142
Cell: 602-615-5490
jhoskovec1@cox.net

Documentation of the Regal Beagle

Friday 3/21/08

Music continued after 10:00. I called (1) at 10:10 and talked to the owner. He said the city gave him permission to have acoustical music until 10:00. I asked if this was going to take place every Friday. He said no. The music finally stopped at 10:15.

Thursday 5/29/08

Music was loud and on a work night. I called (2) and talked to the manager, David because the owner was not even there. I had asked to speak to the owner. I called at 10:15 and the music was still playing. He said he would shut it down right away.

Friday 6/6/08

Music was very loud. I called (3) at 10:15 and asked to have the music stopped. I could hear it in the back of my house with the air conditioner on and the TV on as well.

Friday 5/13/08

Music was loud and continued until 10:25. I purposely did not call to see when it would stop.

Thursday 6/19/08

Music was loud and continued until after 10:00. My company was not happy about all the noise.

Friday 6/20/08

Music was loud and continued until after 10:00. My company was not happy with all the noise.

Friday 6/27/08

Music was loud and continued until 10:16.

Friday 7/4/08

4th of July- I was not home.

Friday 7/11/08

Music was loud and continued until 10:15.

Thursday 7/17/08

The music didn't stop until 10:25.

Friday 7/18/08

Music was loud and continued until 10:20.

Thursday 7/24/08

Music was loud and continued until 10:19.

Friday 7/25/08
I was not home.

Thursday 7/31/08
Called (4) at 9:35 and spoke with David, the manager about the noise. Again, I asked for the owner and he was not there. School started back this week, so I asked that the music be turned down. David was very nice about it, but I did NOT notice any change in the loudness. For the first time all summer the music stopped at 10:00.

Friday 8/1/08
I was not at home.

Thursday 8/7/08
Music was loud but stopped at 8:00 due to a thunderstorm.

Friday 8/8/08
Music for the first time was kept down. I did not hear it in my house, maybe because this is the opening night for the Olympics.

Thursday 8/14/08
Music was loud again and ended at 10:07.

Friday 8/15/08
Music was so loud that at 9:01 I called (5) and asked that the music be turned down. The young lady that took my call said that the owner would take care of it. The singing volume went down but the base was louder. The music continued until 10:17.

Saturday 8/16/08
Now we are adding Saturdays for outside entertainment! Good volume.

Thursday 8/21/08
Music was loud and I called (6) at 9:30 and spoke with Debbie. I requested the music be turned down. I did NOT hear any change in the volume. It stopped at 10:06.

Friday 8/21/08
I am sitting in the back of my house with the TV on and a floor fan on. I can hear the music from the bar. It is louder tonight than it has been in a while. The music stopped at 10:06.

Wednesday 8/27/08
Called City of Chandler to find out just what their permit allowed.

Thursday 8/28/08
Wasn't as loud but could still hear the base in the house.

Friday 8/29/08
I was not home.

Thursday 9/4/08
Wasn't as loud but could still hear the base in the house. Here it is 8:31 and I can hear the pounding of the drums. The music seemed to get louder as the night progressed. The music stopped at 10:18.

Friday 9/5/08
I had the TV on and I could hear the thump, thump, thump of the music from the bar. This is ridiculous! The music stopped at 10:15.

Saturday 9/6/08
I can hear the thump, thump of music.

Thursday 9/11/08
Music was so loud that when I stood on my front porch I could hear the singer say, "Say hi to Ashley. It's her first time." The music stopped at 10:18.

Friday 9/12/08
Music was very loud tonight. I called (7) at 8:32 and spoke to Lisa. No change in the volume. It is still thump, thump, thump! The last song was, "96 Degrees in the Shade" and finally concluded at 10:16.

Saturday 9/13/08
The music was not loud enough to be heard inside; however, it is 11:00 and music is just ending well after the 10:00 permitted time.

Thursday 9/18/08
This is the first time I have been able to go to bed at my desired time and not hear the bar!

Friday 9/19/08
Same as above. This has been the quietest weekend ever!

Thursday 9/25/08
The base is loud tonight. I can hear it with the TV on thump, thump, thump. The music stopped at 10:13.

Friday 9/26/08
The base is loud again. The music stopped at 9:05.

Thursday 10/02/08
I can hear the thump, thump, thump from the bar. Tonight it is really loud. It stopped at 10:06.

Friday 10/03/08

The music is so loud that I can be in the back of my house, watching TV, and I can hear the bar. If I step outside, I can hear the words of the song being sung. It stopped at 10:10.

Wednesday 10/8/08

I can hear the music in my house and I am fed up with this bar!!!!!! Called (8) the bar at 9:00 and asked for the owner. The girl said he wasn't there. I had to repeat my request as she couldn't hear me. I asked to have the music turned down. The music stopped.

Thursday 10/9/08

I am back to the thump, thump of music AGAIN!! It does little good to call over there. Called (9) the bar at 8:32 and asked for the owner. Michelle said, "He's NOT in". I asked to have the music turned down. ABSOLUTLY NO CHANGE IN THE VOLUME!!! The music finally stopped at 10:10.

Friday 10/10/08

The music is loud enough for me to hear it in my laundry room with the washing machine running. The music stopped right at 10:00.

Wednesday 10/15/08

The music is loud enough that I can hear the drums inside my house.

Thursday 10/16/08

Another night of thump, thump, thump. It is not as loud but I still can hear it inside my house. It is 6:50 and the volume and the singing are UP! No peace and quiet tonight!!!! I can't wait for the meeting on Oct. 30th. I have my TV on and I can hear the bar!! I called (10) at 9:05 and spoke with the manager but I asked for the owner. Again, he WAS NOT there. I explained that I need to get up at 4:45 in the morning and I can hear the music in my house. He said, "Let me go talk to my guy." Finally at 9:13 the volume was down but only for about a half hour. At 10:13 the singer announced this was his last song, "Superstition" by Stevie Wonder. However, he played another song after that. I CALLED A SECOND TIME. (11) This time I spoke to Julia but she couldn't hear me. I told her that the Regal Beagle was violating its use permit because the music was supposed to stop at 10:00. Finally, the music stopped at 10:18.

Friday 10/17/08

EXTREMELY LOUD – there is the constant thump, thump, of base. I called TWICE last night. They DO NOT RESPECT OUR NEIGHBORHOOD!!!!!! It is 8:37 and I just got off the phone (12) with Alan, the manager of the Regal Beagle. I told him I just listened to "Play That Funky Music". Alan said he "had some words with him (the artist). But you know how those prima donnas are." Then he tried to tell me that if it was over so many decibels, he couldn't play and that the artist had NOT reached that level. This is the 12th time I have called. FINALLY, SOME RELIEF! That is short lived, just like last night. THE VOLUME RETURNED TO HIGH LEVEL. At 9:56 the song "Living in the Wild Wild West" was being played loud and clear. Management does

NOT have control over this “artist” or chooses to ignore my requests. The music stopped at 10:04.

Wednesday 10/22/08

It is Wednesday evening, and I can hear the dull thud of the base from the Regal Beagle.

Thursday 10/23/08

The music was doable tonight and ended at 10:00.

Friday 10/24/08

The music is louder than last night especially the base. It is really rockin’ tonight. I can hear the thump, thump, thump in my house with the windows closed. The music stopped at 10:00.

Wednesday 10/29/08

The music is loud enough that I can hear the drums inside my house. The music stopped by 9:00.

Thursday 10/30/08

Meeting on extension of Series 6 Liquor use permit at Sunset Branch Library at 7:00. I arrived at 6:55. I waited and called Bill Dermody at 7:20 and left a message on his work phone. I called Gregory Stanfield, owner of the Regal Beagle, at 7:22 and told him I was standing in front of the Sunset Branch as stated in the letter for this meeting. He and his manager, Alan, met with me at approximately 7:35. There was no one from the city to act as mediator. The meeting was cordial and I expressed my concerns about the noise level of their music particularly on Thursday and Fridays. I gave Mr. Stanfield a copy of this document and offered Alan a copy as well. I had prepared one for Bill Dermody and will forward this document to him via the mail this weekend. My suggestion was to move the music inside. Both Gregory and Alan were against this and suggested that they would work on the volume to accommodate me. Alan, the manager, said the problem was that the speakers were on the ground and caused the music to bounce off the walls. He is prepared to buy speakers and elevate them so the music would be directed out in front. I asked when this would go into effect and he said tomorrow (10/31). I agreed to give this a try. It was agreed upon that I would call them to monitor the music. Upon returning to my home, the music for the evening was loud as usual. I didn’t bother to call as we had agreed to try to alleviate the problem on Friday. I was miserable until the music stopped at 10:01.

Friday 10/31/08

I spoke with Bill Dermody, City Planner, and found out the The Regal Beagle was suppose to have acoustical music ONLY and NOTHING AMPLIFIED. They are and have been in clear violation of their present permit. Gregory called me at 4:55 to come to the Regal Beagle to discuss things. I reminded him that it was Halloween night and I could not meet with him. When I confronted him about the user permit being for acoustical music only, he replied, “We can either work this out or fight about it.” He compared it to his divorce. Things were a little better, but just for awhile. By 7:06 I

heard "Sweet Caroline" by Neil Diamond. At 8: 53 I called (13) Gregory to inform him that I was hearing "Do the Hustle" from inside my house. I also told him I had just driven by the Regal Beagle and was appalled at how loud the music actually was. It would be impossible to sit on that patio and have a normal conversation. One would have to yell to be heard. He asked that I call him back in 10 min. as he would inform the musician, Alonso, to turn things down. Things were better until 9:37 when the music was loud again. Here is the final play list:

9:37 "Staying Alive" by the Bee Gees

9:40 "Saturday Night Fever" by the Bee Gees

9:47 "Sexual Healing" by Marvin Gay

9:51 THE MUSIC STOPPED!

BASED UPON THE CONVERSION, DISCUSSED ON THURSDAY, TO "FIX THE PROBLEM", I WOULD SAY THAT FRIDAY NIGHT WAS A FAILURE!

Monday 11/3/08

I called City Planner, Bill Dermody, at 8:10 A.M. and expressed concerns that the Regal Beagle will not abide by their current permit and played music loudly on Friday. I informed him that I had called the establishment and I did not get the desired results. I feel that they should NOT have a new permit, and if the Planning and Zoning Commission chooses to do so, that NO MUSIC OR SPEAKERS SHOULD BE ALOUD OUTSIDE ON THE PATIO. THE MUSIC MUST GO!!! THE REAGEL BEALGE NEEDS TO BE HELD ACCOUNTABLE FOR THEIR WILLFUL AND CONTINUOISE VIOLATION OF THE CURRENT PERMIT. I expressed that I am tired of living like this and that I shouldn't have to. I told him I had canvassed the neighborhood and there are other unhappy residents as well. He should be getting other calls today. One lady in the Crestview condos can hear the music down there as well. She is well outside the 600 feet of the Regal Beagle. She resides at Kyrene and Frye (approximately 1/4 of a mile away). It should not matter if 1 resident complains or 50; the Regal Beagle has no regard for me or our neighborhood! I spoke with one neighbor who frequents the Regal Beagle and she said, "There is plenty of room inside. They could move the music in with no problem."

Thursday 11/6/08

I called Bill Dermody to see if he received my documentation. He did and said that my documentation was very complete. I asked him to e-mail me a copy of the permit for the Regal Beagle. I also asked about a cease and desist order. He said his office sent a stern letter of warning yesterday (Wednesday, 11/5/08)
For the first time in a matter of months, peace and quiet!!! Thank you City of Chandler.

Friday 11/7/08

Again, peace and quiet!! This is the way life should be.

Thursday 11/13/08

All was quiet.

Saturday 11/15/08

I went to Bashas at 8:00 and music was playing on the patio. It was not live and could not be heard in the neighborhood.

Wednesday 11/19/08

I and my neighbor, Pam, attended the Planning and Zoning Commission Meeting on the Regal Beagle. License renewal was granted:

1 year instead of 3 years

They may be monitored by the city.

Music should not be heard past the shopping center boundaries.

Thursday 12/11/08

City council meeting. The following neighbors attended: Pam, Patsy, Ruth, Matt, and I. The City Council went with the Planning and Zoning's recommendations as described above.

2009 Documentation

Tuesday 10/20/09, 3:29 P.M.

I called City Planner, Bill Dermody because I knew that the Regal Beagle would be up for renewal of their license very soon and I had not received any correspondence for a neighborhood meeting. He said letters had gone out yesterday (Mon.).

Wednesday 10/21/09

I received a call from a Raul Garza from Higher Ground, who said he was working on behalf of the Regal Beagle to resolve issues. He said he would like to set up a meeting with me and my neighbor, Pam. I told him I had not received a notice for a neighborhood meeting.

Thursday 10/22/09

I received the letter of the neighborhood meeting in a manila envelope with no return address on it. I found out the following week that 4 of us did not receive neighborhood meeting letters. They included Pam, Patsy, Sylvia and I (only after I called about it).

Friday 10/23/09, 5:00 P.M.

Pam and I met with Mr. Garza at Starbucks to discuss what changes the Regal Beagle wanted. Basically, they want amplified music on the patio. Pam and I expressed our concerns and I gave Raul a copy of my 2008 documentation. He said that the Regal Beagle had lost so much money this past year that they need amplified music to be successful. I explained to Mr. Garza my concern that the Regal Beagle and even Mr. Stanfield had ignored me when I had called over a 5 month period. Why should I think things would be different?

Monday 11/2/09, 5:00 P.M.

Neighborhood meeting at Sunset Library. Neighbors in attendance were: Pam Rosic, Jan Hoskovec, Patsy Orlando, Ruth Graham, Steve Lay, and Jody Briner. Also present were Bill Dermody, City Planner, Gregory and Lisa Stanfield (owners of the Regal Beagle), and Raul Garza, consultant for the Regal Beagle. [REDACTED]

[REDACTED] When Raul or anyone made suggestions to abate the music, [REDACTED] When Raul suggested possible plexi glass, Mr. Stanfield responded, "No we're not doing that, we have a trellis." The neighborhood suggested moving Alonso (the artist that had caused the noise problem) inside, Mr. Stanfield replied, "No I'm not doing that."

Mr. Stanfield compared the noise disturbance to being awakened at 6:00 A.M. by a neighbor mowing their lawn. However, neighbors don't mow for 4 straight hours. Mr. Stanfield said that Teakwoods on Ray and Kyrene play live music and no one complains about them. I went by Teakwoods that following Friday and there was no live

music. I called Teakwoods on Nov. 8th (1:15P.M.) and asked about live music. They said they do not have live music.

All of us left the meeting feeling that mix messages were sent to us as Lisa Stanfield and Raul Garza would say one thing and Gregory Stanfield would say another. None of the neighbors feel that we can trust Mr. Stanfield.

Wednesday 11/4/09

Trial run was done. Lisa Stanfield called at 5:25P.M. and Raul Garza called at 7:00 and 8:00 P.M. Music could not be heard at my house. I drove over to the Regal Beagle and I was just a solo artist playing NOT Alonso. We need a trial run with Alonso.

Wednesday 11/18/09, 5:30 P.M.

Planning and Zoning meeting. Regal Beagle submitted their request with sound abatement improvements. The neighborhood and Mr. Dermody had not seen the plans until tonight, which means we have to go to Planning and Zoning again in December.

Thursday 12/10/09, 6:00P.M.

Trial run was done with artist Alonso playing. I was the only neighbor available tonight. (Pam Rosic had to check on her property in Prescott. Jody and Adam Briner were not home.) Barbara Bloss, Raul Garza's assistant called and asked to come to my house. She came and stayed for an hour. Raul called several times to check in and came over as well. The music was not intrusive and could only be slightly heard. However, Pam and Jodie both live on the corner and are closer than I am to the Regal Beagle.

Wednesday, 12/16/09, 5:30P.M.

Planning and Zoning Meeting- I presented my concerns that the music should not exceed the boundary of the shopping center. Pam Rosic also presented. Mr. Stanfield was NOT present: however, Mr. Garza was present.

2010 Documentation

Thursday, 1/14/10, 7:00

City Council Meeting – Neighbors present: Patsy Orlando, Jan Hoskovec, Ruth Graham, Pam Rosic. Mr. Stanfield was NOT present; however, Mr. Garza was present. Item will be continued at the next City Council Meeting.

**Thursday, 1/28/10, 7:00 P.M.

City Council meeting – Neighbors present: Patsy Orlando, Jan Hoskovec, Pam Rosic. Mr. Stanfield and Mr. Garza were present. City granted use of amplified music with restrictions. This is a one year use permit.

Saturday, 3/6/10, 6:17 P.M.

Gregory Stanfield, the owner of the Regal Beagle, called to check with me. I told him I was not at home. After talking with another neighbor, Jody, (2 weeks later) I found out that the Regal Beagle was so loud that night that Jody called the police. She had to go to work early Sunday morning. It took the police an hour and a half to show up and by then the music had stopped. Pam R. was out of town that weekend, also.

Sunday, 3/7/10, 3:18 P.M.

Gregory Stanfield, owner of the Regal Beagle, called to let me know they have had music for the last month on the patio. He wanted to make sure everything was fine. I told him it was but I had been out the previous evening.

Wednesday, 3/17/10, 6:06 P.M. (St. Patrick's Day)

Gregory Stanfield, owner of the Regal Beagle, called and warned me that it may get a little loud and if so to call him. I told Mr. Stanfield that he should not change what is working. I fear he is going to push things as before. I can hear it somewhat in my house but just standing on the front porch at 7:00 I can hear "Sexual Healing" by Marvin Gay. 7:22 P.M. the volume is turned way down.

8:01 I called (1) Gregory to let him know it was too loud. It is somewhat better but it is not at the test level or what was played for the last month.

8:23 P.M. I called (2) Gregory a second time and told him I could hear "Margaritaville" and this is the last time I planning on called him tonight.

8:24 P.M. Gregory called me to check on the volume. I said the music needs to return to the test level. I am not going to spend my evening calling him all night long. I told him it was bouncing off the walls and I could hear the steel drums. If he can't get it under control then I will take the next step. It is not acceptable.

Thursday, 3/18/10, 5:37 A.M.

I e-mailed Bill Dermody, City Planner, and requested a copy of the current Regal Beagle use permit and let him know I had called the Regal Beagle twice.

4:30 P.M. I spoke with my neighbor, Pam, and she said she had called the Regal Beagle last night, also. Regal Beagle had a total of 3 calls complaining from our neighborhood of music being too loud.

Saturday, 3/20/10, 9:18 P.M.

I called (3) Gregory to let him know it was too loud. I called again (4), it is 9:44 and I know the police won't get here in time, so what is the use in calling them. This is a sham!! I can hear the damn music in my house!

Friday, 4/2, 2010

Broken (clear) glass on Aspen off of Kyrene. This is the second time in a few weeks there has been broken glass at this location.

Saturday, April 03, 2010, 7:01 P.M.

I called (4) Gregory to let him know I could the words to Alonso's songs, "Kingston Town" and "Jamin", "Sweet Caroline". Gregory and another guy came over but Alonso was on break at the time. He said he couldn't hear anything. He told me to get my dancing shoes on. We are back to the same old stuff again! By 9:30 it was so loud I could hear it in the back of my house!! It's too late to call the police. The music finally stopped at 10:05 P.M.

Friday, 4/24/10

My friend and I returned from the movies and The Regal Beagle was in full blast mode.

Friday, 11/12/10, 8:31

I have had no complaints up to this point. I called Gregory Stanfield and left a message (he did not answer the phone) that the base was too loud. I can hear it in the house with the TV on. Alonso is back. I called Pam. She said she could hear it. She tried to call Gregory, no answer. She did call the bar and the volume was lowered but I can still hear the base.

Saturday, 11/ 13/10, 10:59

Gregory called and said he got my message. He said he would move Alonso inside (because it is too cold for him).

2011 Documentation

Monday, 3/7/11

Neighborhood meeting scheduled at Sunset Library. Patsy Orlando, Bill Dermody and myself are in attendance. Gregory Stanfield was a no show. We waited a half hour and left.

Monday, 4/4/11

Neighborhood meeting scheduled at Sunset Library. Pam Rosic, City Planner, Bill Dermody and myself are in attendance. Gregory Stanfield was present. We gave our support for his 3 year renewal. [REDACTED]

Wednesday, 4/13/11

Gregory Stanfield called me to let me know that Alonso would be playing this Friday. He would be there "babysitting".

Friday, 4/15/11

I called (1) Greg Stanfield at 6:40P.M. He did not answer his phone. I left a message saying I could hear Alonso in the house with the TV on. No change. 6:47 I called (2) the bar and spoke with Brian and asked to have the music turned down. NO CHANGE! I called (3) at 7:17, some girl answered and I asked her to have the music turned down. I also asked if Gregory was there and she said, "Yes." She said she would let him know that someone from the neighborhood called. AGAIN, NO CHANGE thump, thump, thump, so much for the liaison program, since Gregory Stanfield does not want to honor it. It is dead! I called (4) Gregory Stanfield, his personal phone for the second time tonight. It was 8:51. He did not answer again. I left a message again. I made this call to prove a point that Gregory doesn't want to follow the liaison plan in place. The noise in my front bedroom is unbelievably loud and my bedroom as well. We are right back to square one again. Called (5) and got Brian again. He said to take it up with Gregory. The music stopped at 10:00.

Saturday, 4/16/11

All was quiet!!!

Monday, 4/18/11

I sent Bill Dermody my documentation from Friday. I also had received a call from Gregory Stanfield saying he had spoken with Bill. I didn't return the call because I don't want to hear any more excuses.

Wednesday, 4/20/11

Planning and Zoning Meeting. The commissioners asked Mr. Stanfield if he could put Alonso inside. Mr. Stanfield didn't give a direct answer but said how his revenue increased when Alonso played. I explained how we as a neighborhood have tried to work with Mr. Stanfield but he wants it loud when Alonso is there. I found out through this meeting that Alonso is playing again this Friday. At the neighborhood meeting Mr. Stanfield said Alonso was gone. We can't trust his word. His integrity is shot at this point. I don't feel I can trust a single thing he says from now on.

Friday, 4/22/11

6:56 P.M. Gregory Stanfield called me to ask about the volume. I told him I could hear the base in my house with the TV on. He said, "There is no base, just 2 little speakers on the stage." I said, "I can hear the thump, thump, thump from the bar." NOTHING

CHANGED. After talking to my neighbor next door, I am going to add her documentation that she sent to City Planner, Bill Dermody.

Hi Bill its Pam Rosic. Just to let you know Friday got really ugly. After Jan had called the bar at least once, my husband made a trip over to talk to Greg. Upon entering the bar he asked one of the servers if Greg was there. He replied he was out on the patio. Darko asked him if he would tell Greg that he was there and would like to talk to Greg's Greg's response was if he wants to talk to come to the patio. Darko returned home without talking to him.

The police were called twice by my husband. The last officer came into our home and his remark was your right it is annoying. When he went to the Regal Beagle not sure what happened, but a few minutes later his Sargent called. She said he was very rude to the officer and took your phone number. Jody from across the street also called the bar and he was so rude to her that her husband took the phone away from her. If this is how he works with the neighbors I'm not impressed.

The bottom line here is, even after the police were called twice, there was no change in the volume of the music.

Friday, April 29, 2011

6:13 Gregory Stanfield called to ask how the volume was. I told him I wasn't home yet. He said, "I'm sitting here with 3 of your neighbors drinking. I'd love to hear from you." I told him, "If it is too loud, I will call." It isn't too loud tonight because Alonso isn't playing. This is how it should be all the time.



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APPLICANT:

**GREGORY STANFIELD
REGAL BEAGLE
6045 W. CHANDLER BLVD., #A-7
CHANDLER, AZ 85226**

**NOTICE OF
COUNCIL ACTION
CITY OF CHANDLER,
ARIZONA**

CASE: LUP09-1012 REGAL BEAGLE

MEETING DATE: THURSDAY, JANUARY 28, 2010

APPROVAL: <input checked="" type="checkbox"/>	REZONING: <input type="checkbox"/>
DENIAL: <input type="checkbox"/>	VARIANCE: <input type="checkbox"/>
WITHDRAWAL: <input type="checkbox"/>	USE PERMIT: <input checked="" type="checkbox"/>
CONTINUED: <input type="checkbox"/>	EXTENSION LIQUOR, SERIES 6
	SUBDIVISION: <input type="checkbox"/>
PRELIMINARY DEVELOPMENT PLAN <input type="checkbox"/>	PRELIMINARY PLAT <input type="checkbox"/>

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. No alcohol shall be carried outside of the building and patio into the parking lot or off-premises. Sales of "to-go" liquor shall be prohibited.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.

6. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. Transfer of ownership shall require a new Use Permit.
8. The applicant shall provide security on the weekends, if necessary.
9. The applicant shall maintain a liaison program with the adjacent neighborhood that allows neighbors to directly contact a representative of the establishment with their concerns at any time.
10. The applicant shall work to mitigate litter issues resulting from the use.
11. The patio and surrounding area shall be maintained in a clean and orderly manner.
12. Outdoor music shall not utilize bass speakers or sub-woofers. All speakers shall be raised off the ground.
13. The maximum diameter of speakers used in conjunction with outdoor music shall be 14”.
14. Neither indoor nor outdoor music shall unreasonably disturb area residential properties.
15. Outdoor music shall be limited to two nights per week from 6 p.m. to 10 p.m.



NOTICE OF COUNCIL ACTION CITY OF CHANDLER, ARIZONA

APPLICANT:

GREG STANFIELD
801 N. FEDERAL ST., #2106
CHANDLER, AZ 85226

CASE: UP08-0049 REGAL BEAGLE

MEETING DATE: THURSDAY, DECEMBER 11, 2008

Approval checkboxes: APPROVAL (checked), DENIAL, WITHDRAWAL, CONTINUED, REZONING, VARIANCE, USE PERMIT LIQUOR, SERIES 6 (checked), SUBDIVISION, PRELIMINARY DEVELOPMENT PLAN, PRELIMINARY PLAT

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. No alcohol shall be carried outside of the building into the parking lot or off-premises. Sales of "to-go" liquor shall be prohibited.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
6. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. Any outdoor music shall be non-amplified acoustic. Neither indoor nor outdoor music shall disturb area residences. The noise level as measured at the shopping center property line shall not exceed the ambient noise level.
8. Transfer of ownership shall require a new Use Permit.
9. The applicant shall provide security on the weekends, if necessary.
10. The applicant shall maintain a liaison program with the adjacent neighborhood that allows neighbors to directly contact a representative of the establishment with their concerns.
11. The applicant shall work to mitigate litter issues resulting from the use.
12. The patio and surrounding area shall be maintained in a clean and orderly manner.
13. There shall be no outdoor music between the hours of 10 p.m. and 8 a.m.



NOTICE OF COUNCIL ACTION CITY OF CHANDLER, ARIZONA

APPLICANT:

**GREGORY STANFIELD
801 N. FEDERAL ST., #2106
CHANDLER, AZ 85226**

CASE: UP07-0069 REGAL BEAGLE

MEETING DATE: THURSDAY, OCTOBER 25, 2007

APPROVAL:

REZONING:

DENIAL:

VARIANCE:

WITHDRAWAL:

USE PERMIT:
LIQUOR, SERIES 6

CONTINUED:

SUBDIVISION:

PRELIMINARY DEVELOPMENT PLAN **PRELIMINARY PLAT**

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. No alcohol shall be carried outside of the building into the parking lot or off-premises. Sales of "to-go" liquor shall be prohibited.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.

6. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. Any outdoor music shall be non-amplified acoustic. Neither indoor nor outdoor music shall not disturb area residences.
8. Transfer of ownership shall require a new Use Permit.
9. The applicant shall provide security on the weekends, if necessary.
10. The applicant shall maintain a liaison program with the adjacent neighborhood that allows neighbors to directly contact a representative of the establishment with their concerns.
11. The applicant shall work to mitigate litter issues resulting from the use.
12. The patio and surrounding area shall be maintained in a clean and orderly manner.



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NOTICE OF COUNCIL ACTION CITY OF CHANDLER, ARIZONA

APPLICANT:

**CORY TEREICK
CDT PHOENIX dba REGAL BEAGLE
6045 W. CHANDLER BLVD., #7
CHANDLER, AZ 85226**

CASE: UP07-0038 REGAL BEAGLE

MEETING DATE: THURSDAY, JUNE 28, 2007

APPROVAL:	<input checked="" type="checkbox"/>	REZONING:	<input type="checkbox"/>
DENIAL:	<input type="checkbox"/>	VARIANCE:	<input type="checkbox"/>
WITHDRAWAL:	<input type="checkbox"/>	USE PERMIT:	<input checked="" type="checkbox"/>
		LIQUOR, SERIES 6	
CONTINUED:	<input type="checkbox"/>	SUBDIVISION:	<input type="checkbox"/>
PRELIMINARY DEVELOPMENT PLAN		<input type="checkbox"/>	PRELIMINARY PLAT
			<input type="checkbox"/>

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Use Permit granted is for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. No alcohol shall be carried outside of the building into the parking lot or off-premises. Sales of "to-go" liquor shall be prohibited.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
6. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
7. There shall be no music outside. Indoor music shall not disturb area residences.
8. Transfer of ownership shall require a new Use Permit.
9. The applicant shall provide security on the weekends, if necessary.
10. The applicant shall maintain a liaison program with the adjacent neighborhood that allows neighbors to directly contact a representative of the establishment with their concerns.
11. The applicant shall work to mitigate litter issues resulting from the use.