



Chandler • Arizona
Where Values Make The Difference



MEMORANDUM **Planning Division – CC Memo No. 14-093**

DATE: SEPTEMBER 11, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: SUSAN FIALA, CITY PLANNER *SF*

SUBJECT: LUP14-0011 MAX & TED'S 480

Request: Liquor Use Permit approval to sell and serve all types of spirituous liquor as permitted under a Series 6 Bar license and allow live music indoors at an existing bar

Location: 480 North Arizona Avenue, south of the southwest corner of Oakland Street and Arizona Avenue

Applicant: Bill Mohler

RECOMMENDATION

Planning Commission and Planning Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

Max & Ted's 480 bar is an existing business, operating since 1961. Since it was established, the business name and ownership has changed several times. The business is under new ownership as of May 2014. The bar received Liquor Use Permit approval in July 2013 with a time condition of one year. The request is for extension of the Liquor Use Permit without any further time condition. The business's operational plan remains the same as the previous owners. The hours of operation are 10 a.m. until 2 a.m., seven days a week. There are pool tournaments and leagues, Karaoke, and live entertainment. The live entertainment is once a month, on Saturdays, from 9 p.m. to 1 a.m.

Parking was an issue conveyed by a property owner during the previous Liquor Use Permit process. No recent parking concerns have been raised. The previous bar owner made an agreement with Chandler Auto and Tire, located south of the bar and on the same block, to

utilize their parking lot for overflow parking. The agreement was made in April 2013, when the bar came under the previous ownership. The parking agreement allows bar patrons to use the tire business's parking lot in the evening on any day of the week. On-site parking is monitored by the bar owner and when the lot is nearing capacity, a movable sign notifying patrons of the additional parking is placed outdoors. The current bar owner confirmed with the owner of Chandler Auto and Tire to continue this parking agreement.

A Series 6 Bar License allows a bar retailer to sell and serve spirituous liquors to be consumed on the premises and in the original container for consumption on or off the premises. Under a Series 6 Bar License, the establishment does not have a requirement for percentage of food versus alcohol sales.

DISCUSSION

Planning Staff supports the request, finding that the bar with live entertainment indoors is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition conveyed during the neighborhood meeting and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the ongoing business operation.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 18, 2014. No one other than the applicant attended.
- Planning Staff received one phone call from a property owner stating their opposition to live entertainment.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

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

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of LUP14-0011 MAX & TED'S 480, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 6 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.

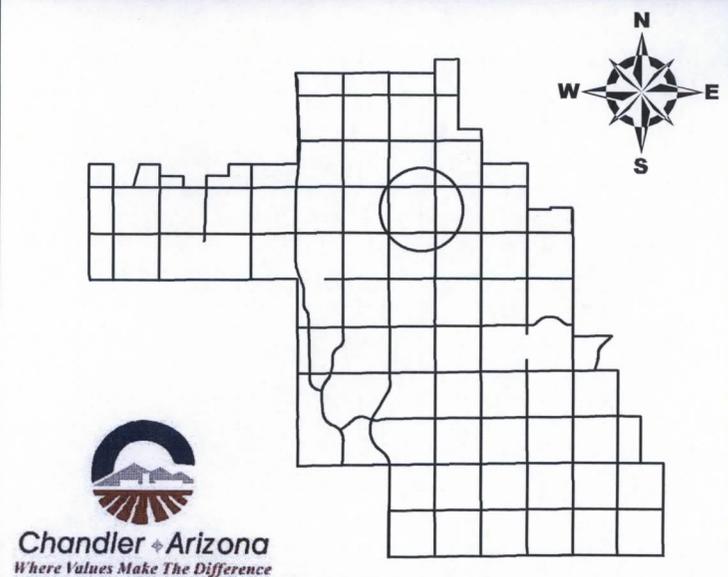
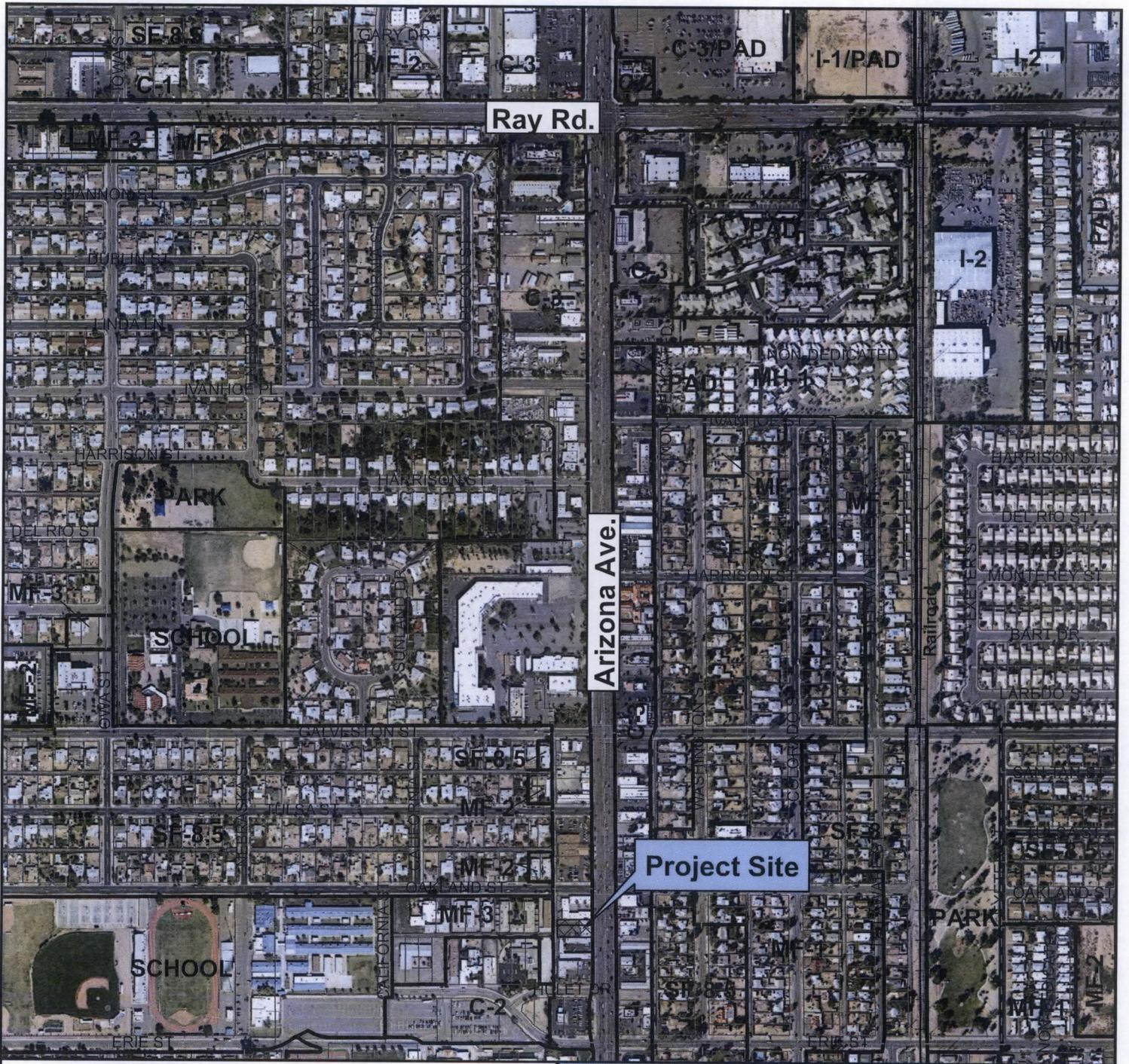
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve Liquor Use Permit, LUP14-0011 MAX & TED'S 480, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Narrative

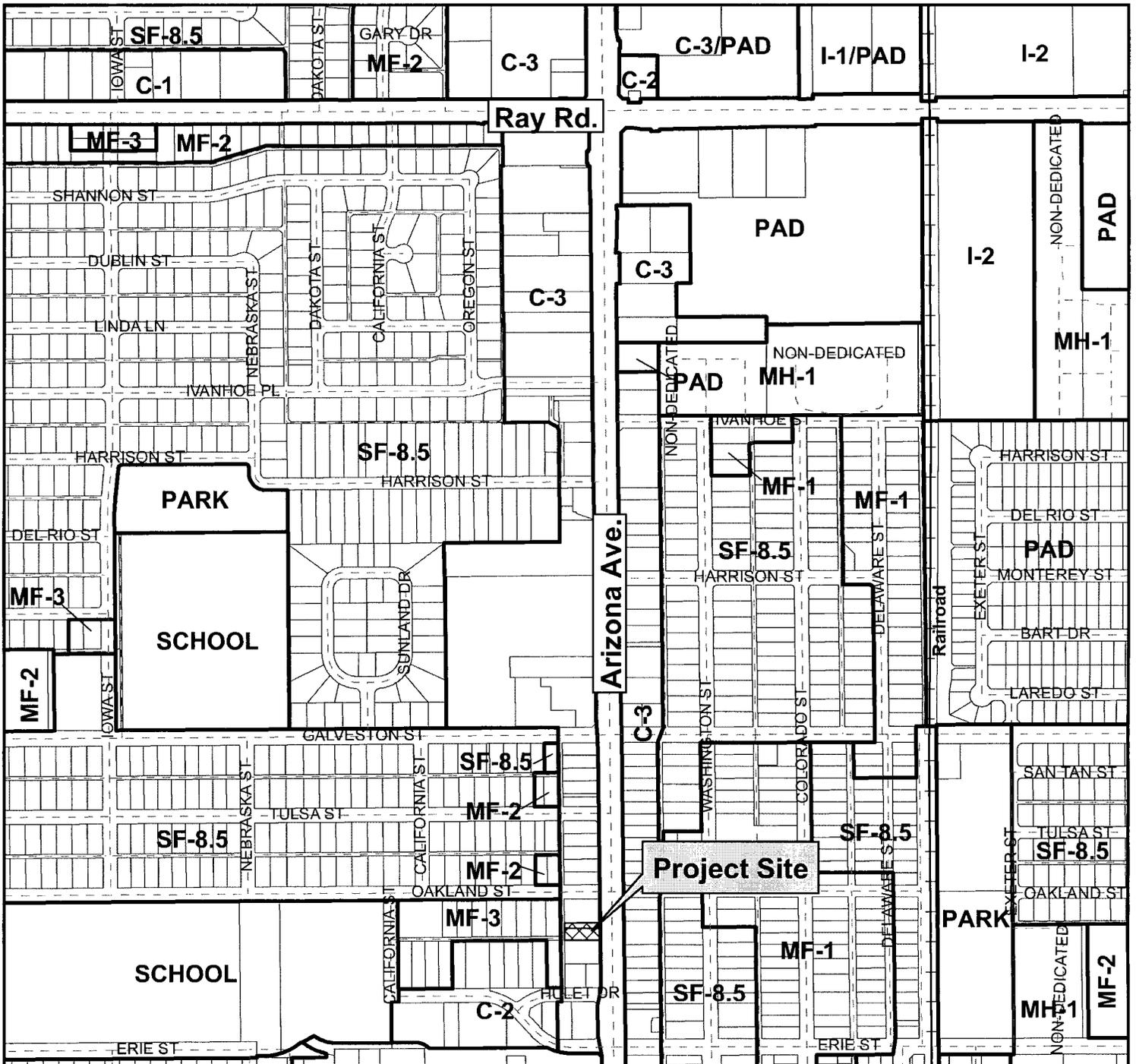


Vicinity Map

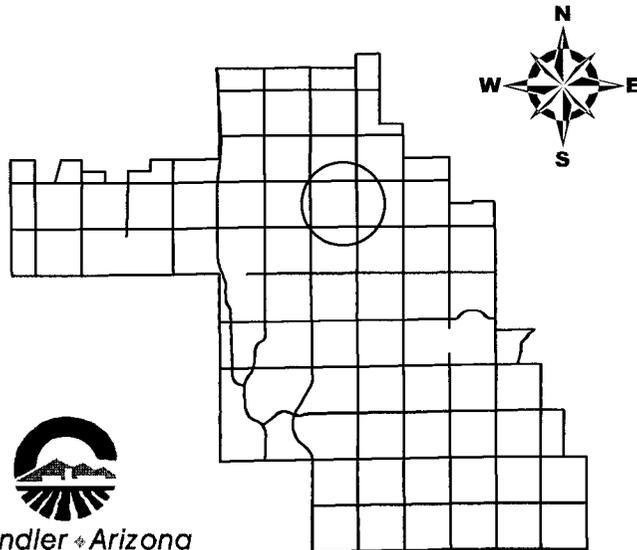


LUP14-0011

**Max & Ted's 480
Liquor Use Permit**

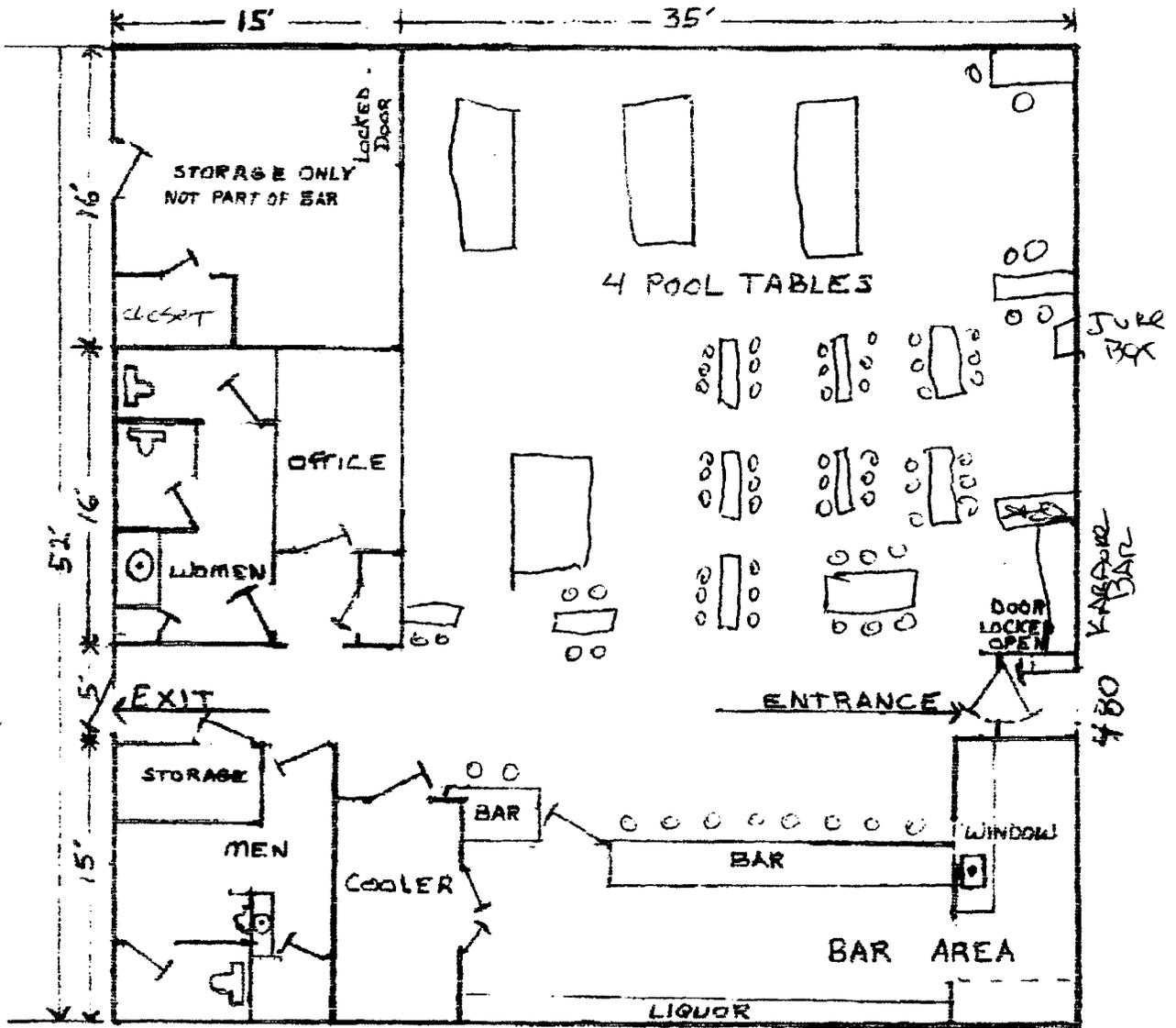


Vicinity Map



LUP14-0011

**Max & Ted's 480
Liquor Use Permit**



FLOOR PLAN 6-6-14
 480 N ARIZONA AVE
 CHANDLER AZ 85225
 SCALE 1/8" = 1'-0"
 BAR # 480-899-2268

DATE: June 3, 2014

To: City of Chandler
Transportation and Development
Planning
Mayor and Council

From: Mohler Enterprises, LLC dba Max & Ted's 480
Bill and Flossie Mohler, Members and Proprietors
480 N Arizona Ave
Chandler, AZ 85225

SUBJECT: Liquor Use Permit Application

Mohler Enterprises, LLC has purchased the historic Neighborhood Bar, Max and Ted's 480 as of May 19, 2014. The long established location is 480 N Arizona Ave.

Max & Ted's has been present at this location for 18 years with a number 6 Bar license that Mohler Enterprises has purchased with the business. Liquor, beer, wine and an array of food items such as wings, chicken tenders, egg rolls, fries etc are sold. It is planned to enhance the food menu within the limitations of our small kitchen.

The current days and hours of operation are 10:00 AM to 2:00 AM seven days a week. We currently have 5 employees plus Bill and Flossie managing. The operation will continue the same as the previous owners with pool tournaments and leagues, Karaoke and live acoustic entertainment once a month on Saturdays 9:00 PM to 1:00 AM. The front and rear door will remain closed during entertainment times. This will be background, easy listening Classic Rock and Country. There are 4 pool tables, 12 TV's and a Juke box. There is no outside patio but does include a smoking area in the back.

The parking is limited to 22 spaces. This has been the same situation for 50 plus years. Mohler Enterprises has confirmed arrangements with Brett the owner of Chandler Auto at the NW corner of Arizona Ave and Hulet for overflow parking during their closed hours.

The above outlines the plan of operation to continue as is has for 18 years providing a small, friendly neighborhood bar for locals to gather and enjoy. There are no structural or significant changes to the building or operational plan or interior layout. .

Mohler Enterprises and Bill and Flossie are the former owners of Copper Canyon Grill and Brew Pub located at Ray and Kyrene in Chandler from 2000-2005. We enjoyed a good relationship with the City and our local neighborhood customers and neighbors.

We are excited about being back in the business and hope to be a part of the Downtown Chandler history re-birth and entertainment venue. We strongly believe in supporting local establishments and vendors. We place a high value on contributing to neighborhood pride and preservation of the historical integrity of this location. We have made contact with many of the businesses in Downtown Chandler and think we are a good fit as a friendly neighborhood bar.

Bill and Flossie have been residents of Chandler for over 15 years.

We respectfully submit our Liquor Use Application and thank you for your time, consideration and timely approval. We will be pleased to provide any further information promptly on request.

Mohler Enterprises, LLC

Bill and Flossie Mohler

Max & Ted's 480

480-899-2268

Bill Cell

602-538-1383