

#48

FEB 12 2009



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MEMORANDUM

Planning and Development – CC Memo No. 09-010

DATE: JANUARY 28, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR
BOB WEWORSKI, PLANNING MANAGER

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: UP08-0063 MCCOOL'S BAR & GRILL

Request: Use Permit approval to sell liquor for on-premise consumption only within a restaurant (Series 12 Restaurant License)

Location: 4910 W. Ray Road, Suite 3
Northeast corner of Ray and Rural Roads

Applicant: Craig McCool

Owner: Chandler Sunset LLC

RECOMMENDATION

The request is for Use Permit approval to sell liquor for on-premise consumption only within a restaurant located at 4910 W. Ray Road (Series 12 Restaurant License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval for one (1) year subject to conditions.

BACKGROUND

The subject business replaces The Wild Hare in a pad building along Ray Road within the Chandler Sunset shopping center at the northeast corner of Ray and Rural Roads. There is a bi-level, fenced outdoor patio south of the suite and adjacent to Ray Road that will be used for outdoor seating. The new proprietors are reducing most of the existing bar area and adding a stage for live music indoors. The indoor portion of the business is 3,600 square feet in size. The establishment will be open until 2 a.m. daily.

The subject business will open in early 2009. The previous tenant, The Wild Hare, operated under a Series 12 Restaurant License since 2002, and part of the suite had housed a smaller restaurant (Blue Burrito) that had also operated under a Series 12 Restaurant License for several years before that. The Use Permit for alcohol sales at the subject site was most recently renewed in January 2008 for five (5) additional years. The proposed addition of a stage requires a new Use Permit.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

The live music will be conducted only indoors up to four times per week and there will be no outdoor speakers for transmitting the music. A one (1) year time restriction is recommended in order to monitor the music situation for continued compatibility.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- A neighborhood meeting was held on January 17, 2009 at the Chandler Library Sunset Branch. No citizens attended.
- As of this writing, Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

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

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Community Commercial/Planned Area Development (C-2/PAD) zoning, recommend approval of UP08-0063 MCCOOL'S BAR & GRILL subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. 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.
3. The Use Permit is non-transferable to any other location.
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.

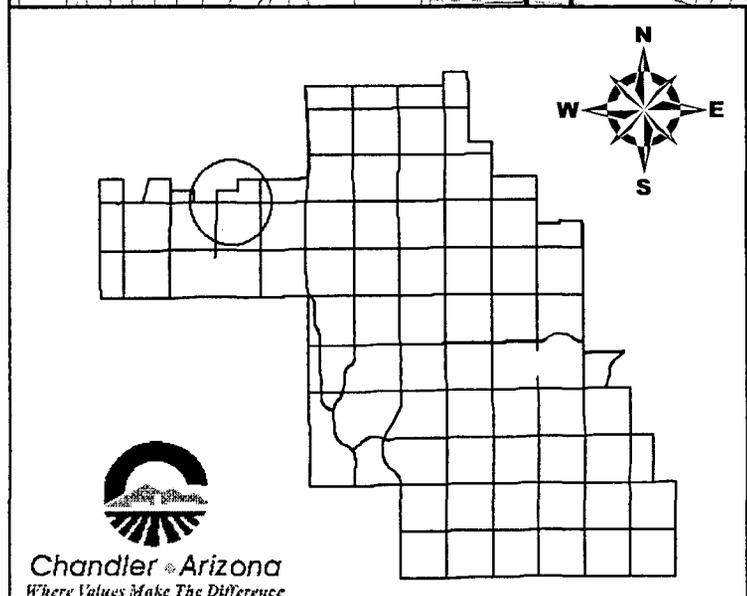
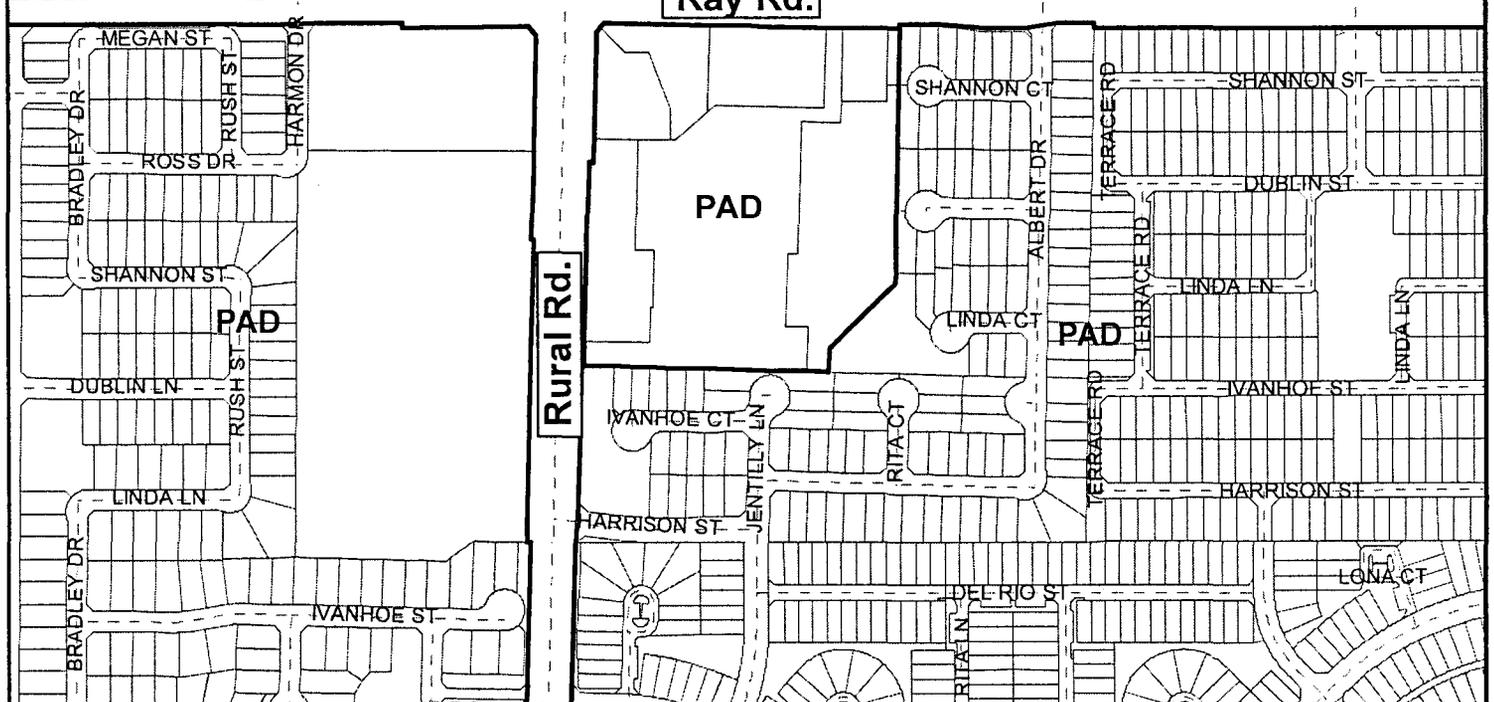
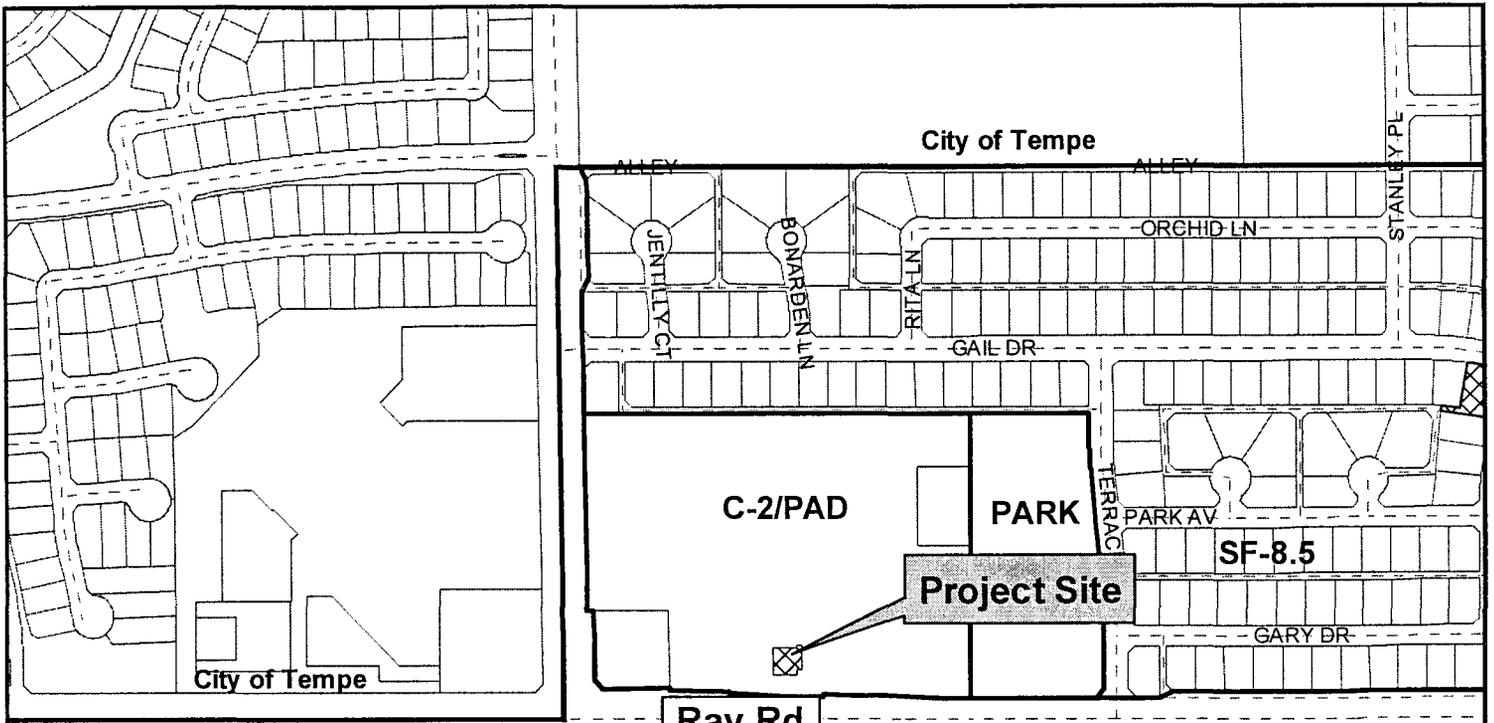
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
6. Outdoor music and outdoor live entertainment shall be prohibited.
7. No alcohol shall be carried outside of the building into the parking lot or off-premises.
8. Umbrellas placed on the patio facing Ray Road shall be solid, full color with no lettering.
9. Banners installed visible from Ray Road for special events shall be installed for a maximum of one week.
10. The patio and area adjacent to the establishment shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve UP08-0063 MCCOOL'S BAR & GRILL Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Aerial Close-up
3. Site Plan
4. Floor Plans
5. Applicant Narrative & Supplemental Information



Vicinity Map

UP08-0063

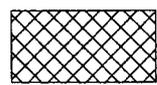
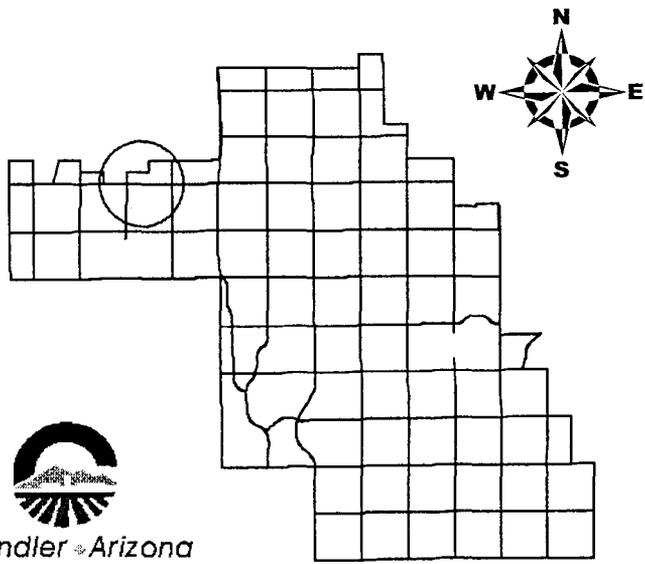
McCools

Liquor Use Permit

CITY OF CHANDLER 12/1/2008



Vicinity Map

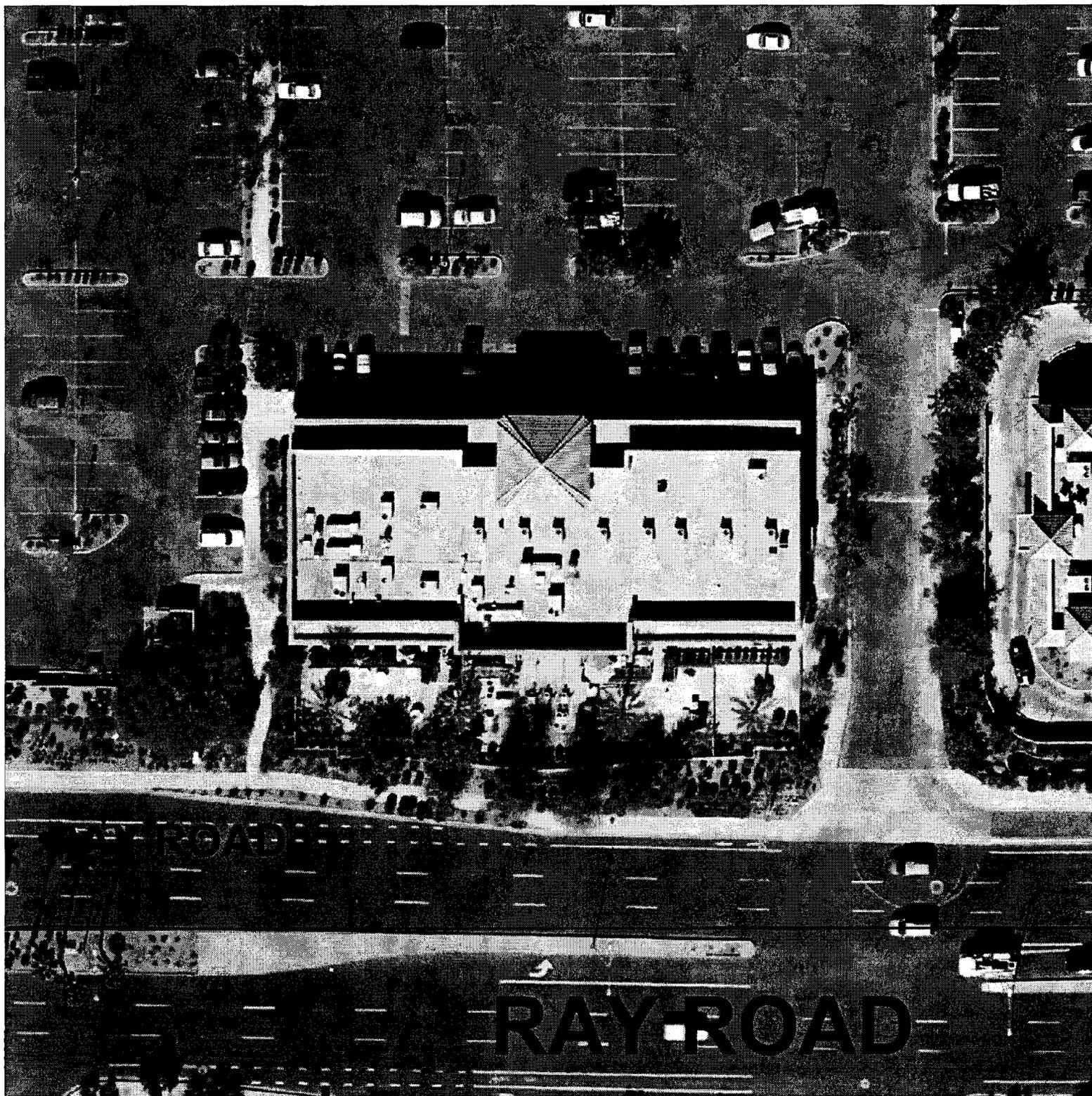


UP08-0063

**McCools
Liquor Use Permit**



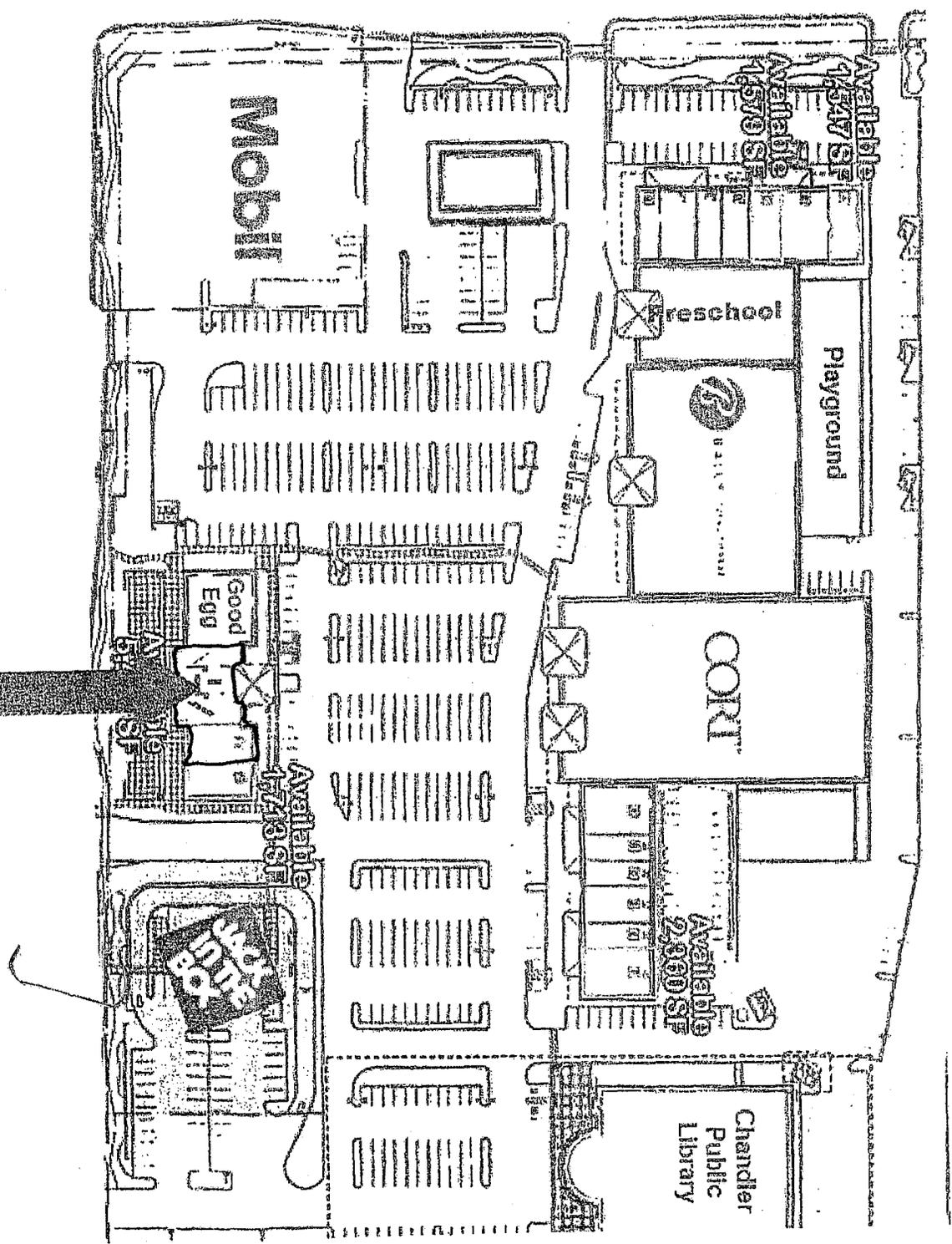
County Parcels



PROJECT SITE PLAN

RURAL AVE

RAY RD



Suite 3

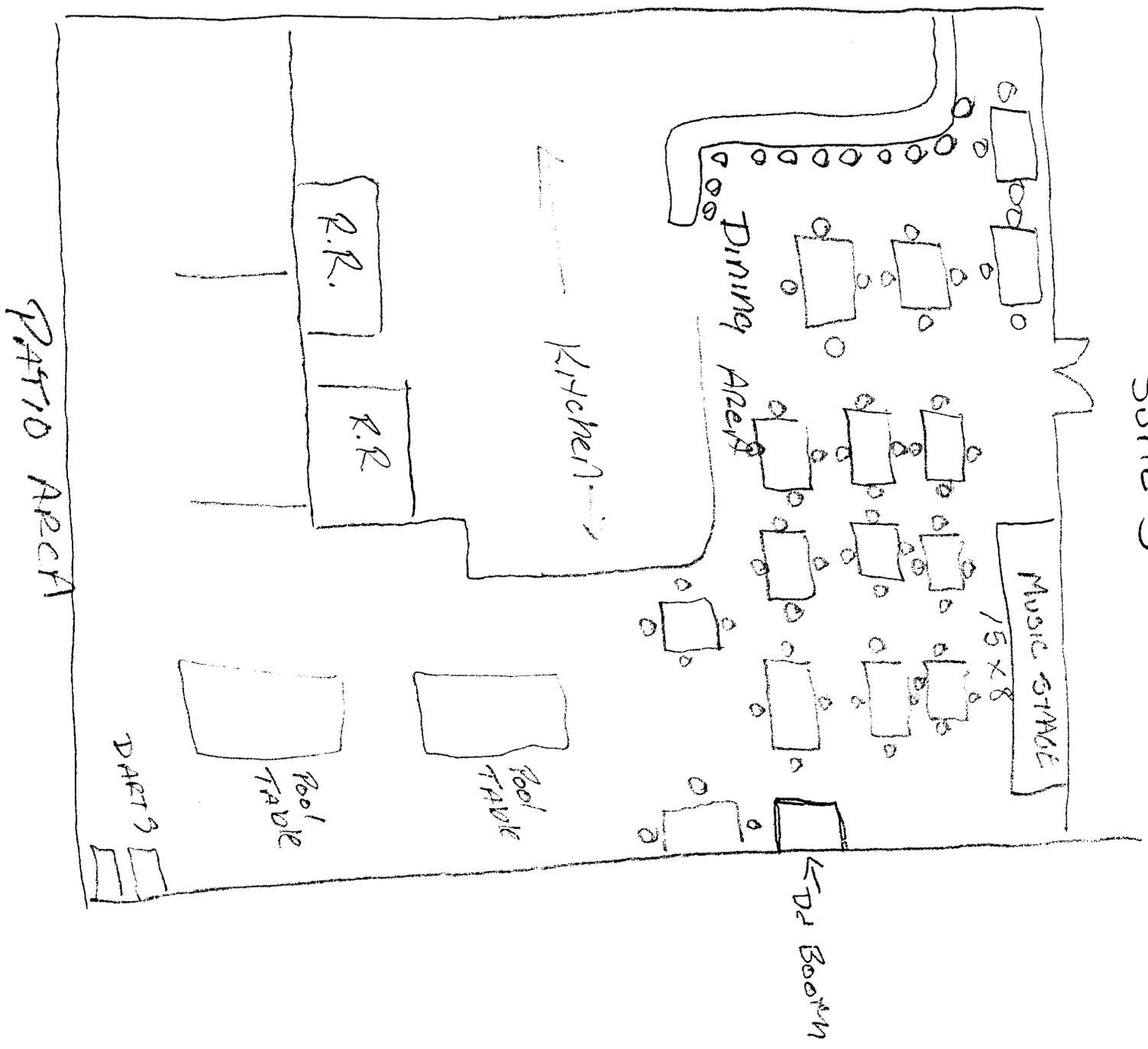
PLEASE NOTE:
WE ARE REMOVING A
PART OF THE BAR
FOR MORE SEATING
AND DINING.

McLois

Chandler Sunset
PHEN

1910 W. 24th Rd
Chandler AZ 85326

CONTACT DEBBIE McLois/
602-568-1001



McCool's the Concept

Once again I apologize, I've never written something like this, I hope it's what you're looking for.

Here's my vision and concept. I think Tempe is missing a great Rock and Roll bar. Good bar food and good Rock and Roll 4 nights a week. I plan on keeping the bar rock star hours, not opening until 2pm. The menu will be nothing fancy, but good enough so you'll keep coming back and serve it until midnight each night.

Walking in I want people to feel like they're a rock star. Dark walls, bartenders and waitresses in leather pants, and neon signs and giant TV's not only playing sports, but your favorite videos from the 70's, 80's and 90's. If there is not live music at the time, you can sit and reminisce with your friends about the Quiet Riot video on the screen. If no band on the stage you can be your own rock star on stage with Karaoke night.

Some huge comfortable booths making you feel like you're a VIP on the perimeter of the bar and also back around the dance floor. Also, a giant booth just for the band of the night, and their friends just so they can feel like rock stars for the night.

I feel the old Wild Hare location has so much potential, space and perfect location. It's a shame people don't see what I see in the place. Over 3600 square feet, huge smoking patio and a great kitchen.

Hope this is what you were looking for

Craig McCool
602-568-1601

MR. Dermody,

LIVE MUSIC - will only be inside and on
FRIDAY + SATURDAY NIGHTS FROM 9PM-1AM.
The doors will not be open and speakers
will be on the ground. I will install my
own PA equipment to control volume of
bands

My proposed closing hour will be 2am

Live music/DJ will be weekends only

PATIO - yes tables will be added, no speakers
will be added, because my lease indicates
so.

The shaded area will be used for dining
area, we are hoping to seat 45-60
people with our 15 plus tables. With
removing a portion of the bar we tend to
make up for the addition of the stage

I hope I've addressed
everything,

Calvin McLeod