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MEMORANDUM

Transportation & Development - PZ Memo No. 11-020

DATE: MARCH 8, 2011

TO: PLANNING AND ZONING COMMISSION

THRU: R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP10-0046 IGUANA MACK'S

Request: Use Permit approval to sell liquor as permitted under a Series 6 (Bar) liquor license for on-premise consumption only within an existing restaurant and outdoor patio

Location: 1371 N. Alma School Road,
Southeast corner of Alma School and Knox Roads

Applicant: Mindy and Michael Conrad; Owners

RECOMMENDATION

The request is for Use Permit approval to sell liquor as permitted under a Series 6 (Bar) liquor license for on-premise consumption only within an existing restaurant and outdoor patio. Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommends approval with conditions.

BACKGROUND

The subject site has a long zoning history going back to the mid 1980's. The current establishment has been at the subject site since 2004, and operated under a Series 12 restaurant license for two years. In 2006, the owner requested and received a Series 6 Use Permit for one year. In 2007, an extension was requested for an additional three years, however, there were some concerns regarding the number of calls for service to the Police Department, and the restaurant received a two-year extension. In 2009, an extension was approved indefinitely due to the successful operation of the restaurant without any outstanding concerns; however, a condition was added requiring that if there was a change in ownership a new Use Permit would need to be obtained. The restaurant has changed ownership thus requiring a new Use Permit.

Staff is recommending approval of the Use Permit without including the ownership condition since the condition was added primarily due to operational concerns with the previous business owner.

Concerns stemming from the previous years of approval have been remedied, and the current owners have continued operating with the same successful security and operational programs as were previously administered. As part of the owner's measures to address concerns, the owner has security personnel check identifications at the front entrance as well as periodically walk the site to check identifications, a security log book is maintained to manage occurrences, photos are taken of customers that are banned from the premises, and regular staff meetings are held to fine tune policies and procedures. Furthermore, weekend discount drinks have been eliminated and the full menu is served until midnight. Lastly, approximately eight taxicab parking stalls are provided close to the entrance to discourage drinking and driving. Sixteen security cameras are also located throughout the site.

The restaurant is open seven days a week from 11 a.m. to 2 a.m., and has 52 employees. All of the employees are required to successfully complete State certified liquor law training. The restaurant is approximately 8,800 square feet and accommodates 294 patrons. The outdoor patio is approximately 1,800 square feet and accommodates 126 patrons. Entertainment is provided three to four times a week and includes DJ's and generally a two person acoustic group. The DJ is stationed inside the restaurant (hatched area on attached floor plan); the acoustic band is located on the patio and only plays from 6-9 p.m. Staff is unaware of any noise or other outstanding and ongoing issues with the subject site and surrounding area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A neighborhood meeting was held on Wednesday, February 9, 2011. Two neighbors were in attendance and had general questions.
- The Police Department has been notified of the request and has responded with no issues.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0046 IGUANA MACK'S, subject to the following conditions:

1. Expansion, modification, or relocation beyond the approved exhibits for interior and exterior areas (Floor Plan, Site Plan, and Narrative) shall void the Use Permit and require re-application and approval of a new Use Permit.
2. The Use Permit is granted for a Series 6 license only and any change of licenses shall require re-application and approval of a new Use Permit.

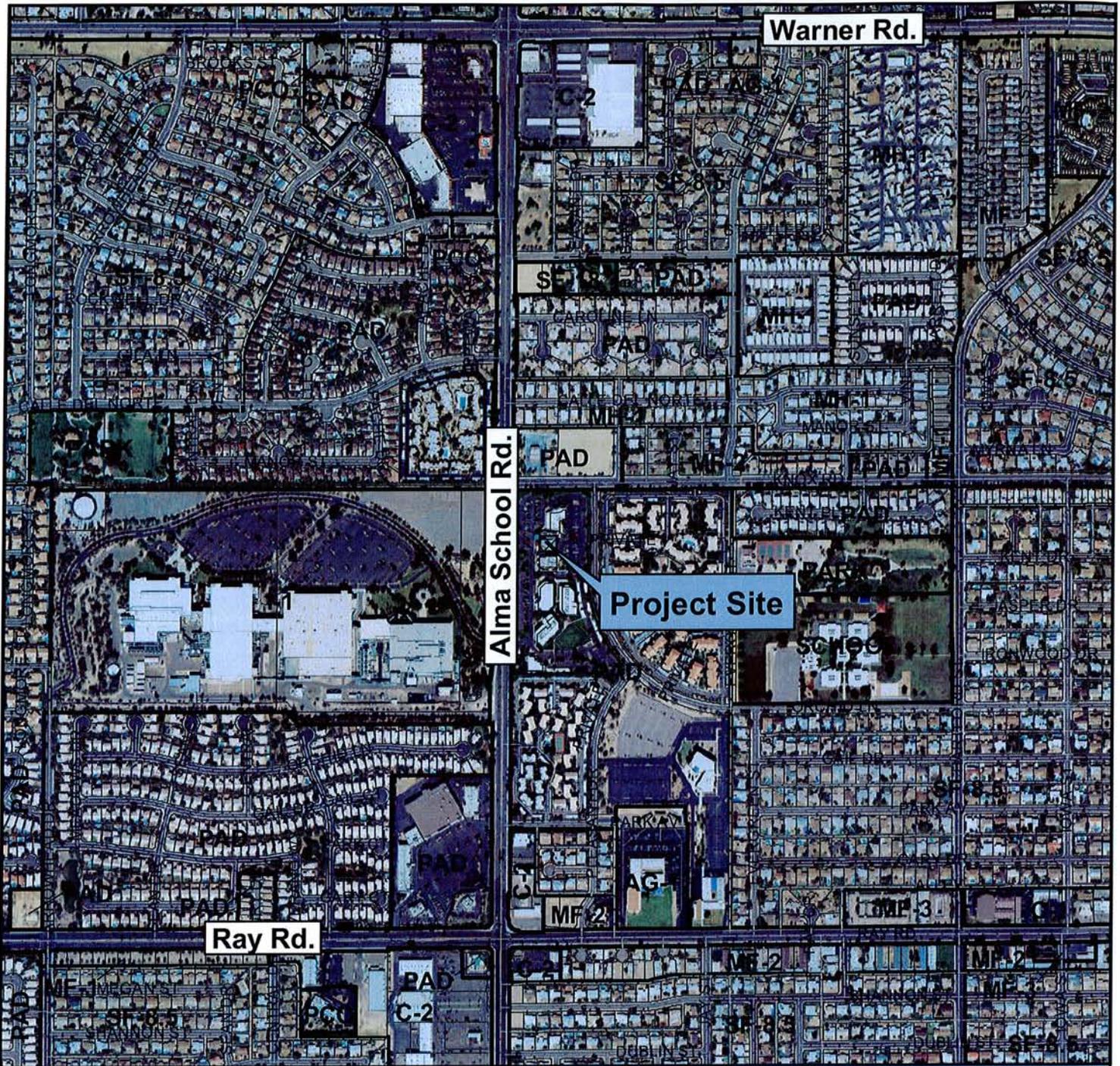
3. The Use Permit is non-transferable to other store locations.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses beyond outdoor speakers and live music shall require reapplication of the Use Permit.
5. The site and outdoor patio shall be maintained in a clean and orderly manner.

PROPOSED MOTION

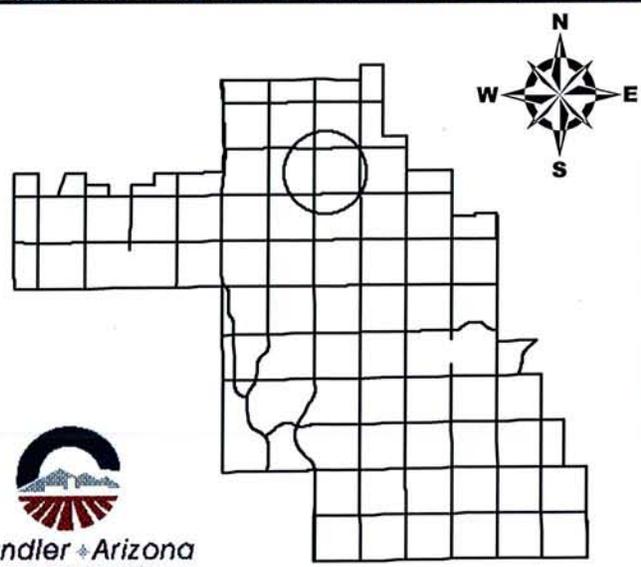
Motion to recommend approval of LUP10-0046 IGUANA MACK'S, Use Permit to sell liquor as permitted under a Series 6 liquor license for on-premise consumption only within an existing restaurant and outdoor patio; subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map



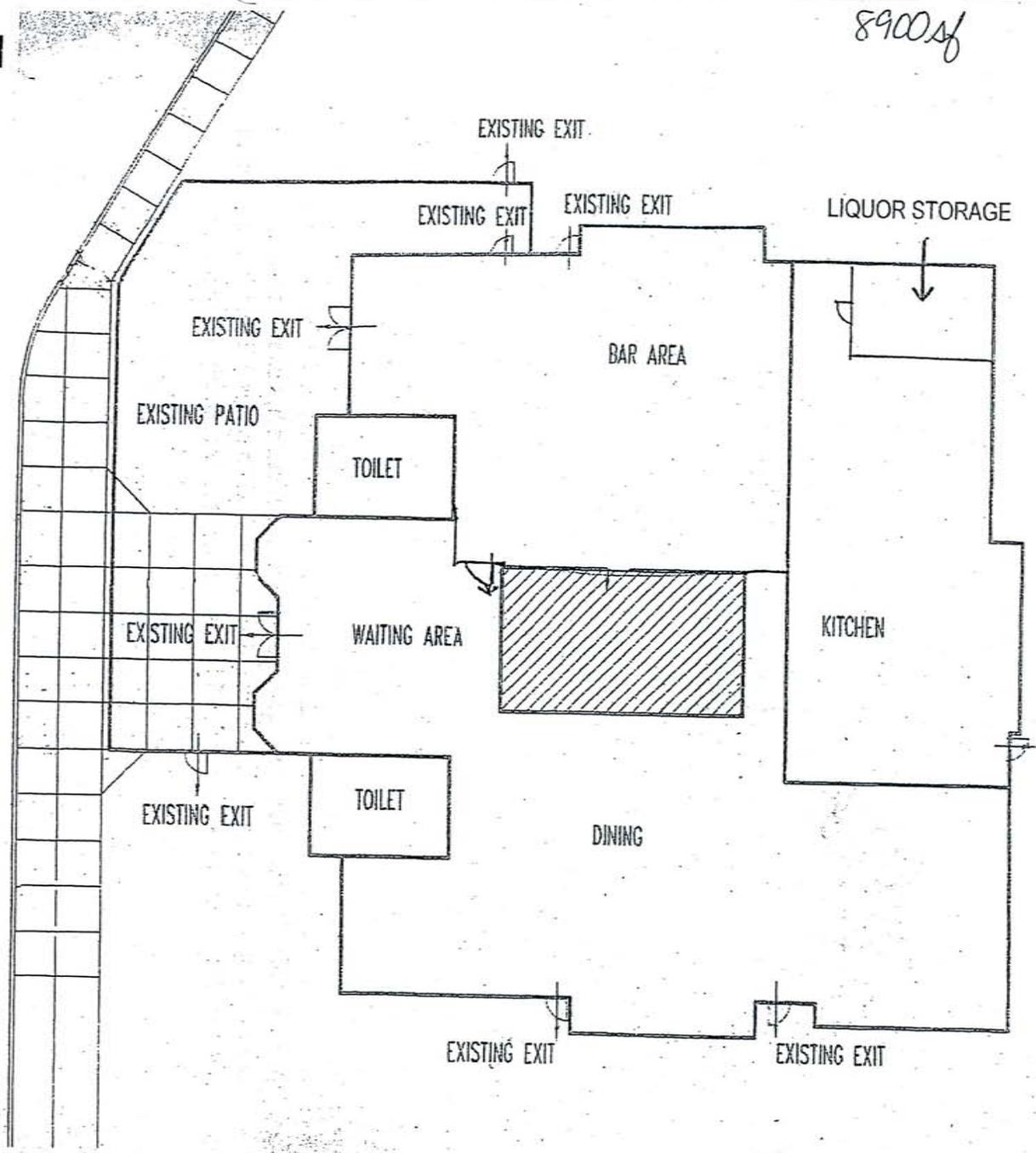
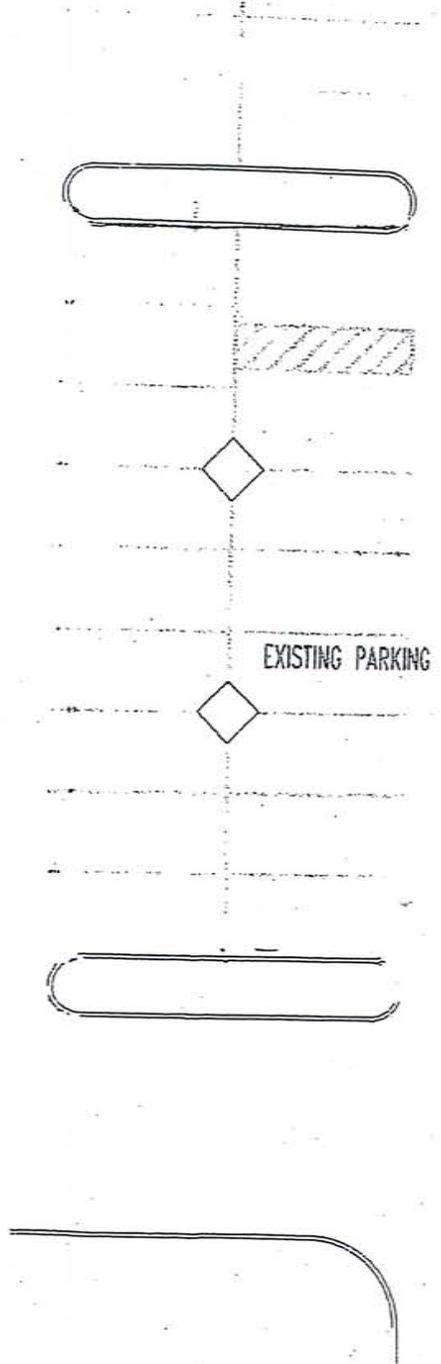
LUP10-0046

**Iguana Mack's
Liquor Use Permit**



IGUANA MACK'S FLOOR PLAN

8900sf

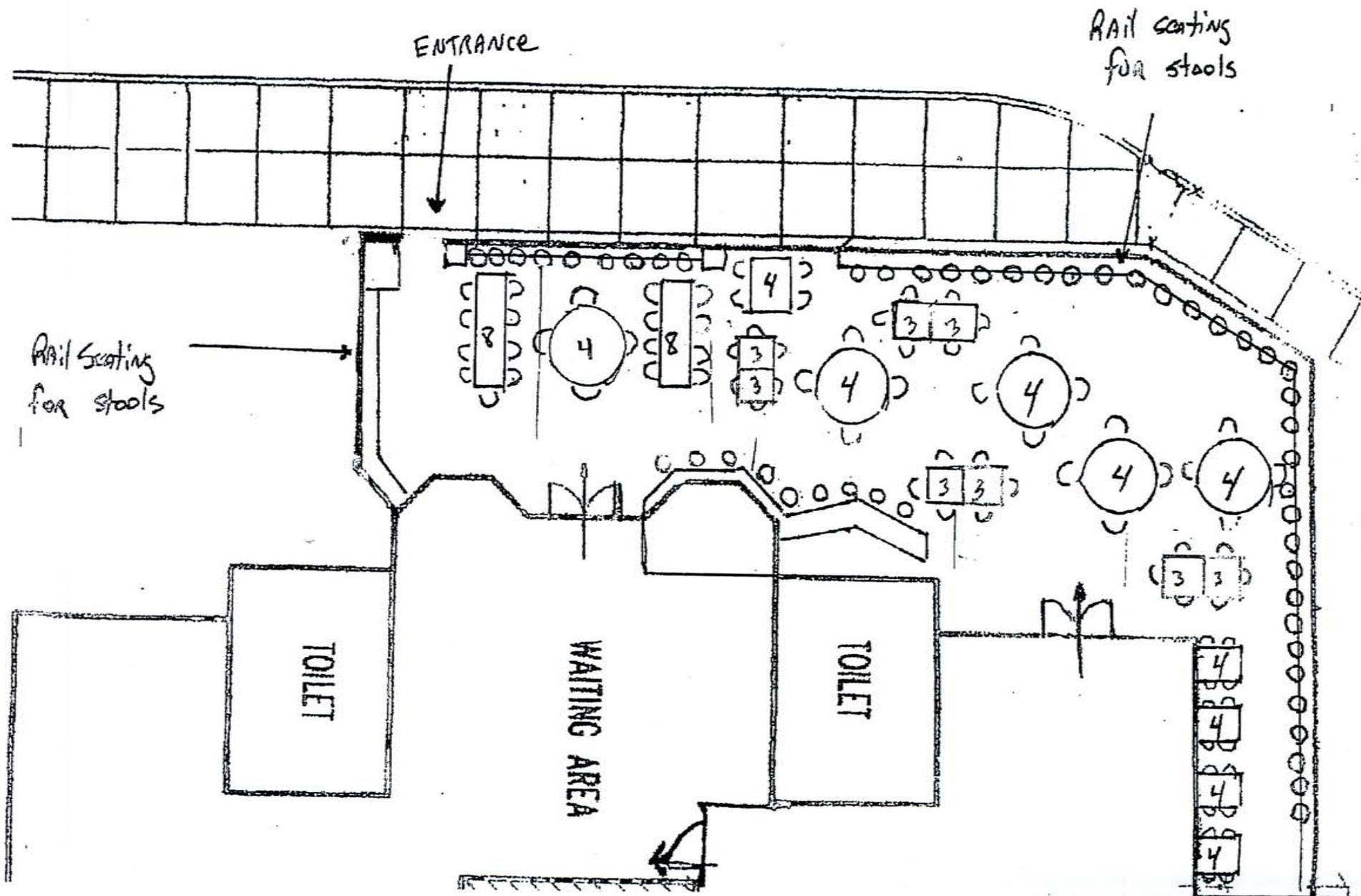


SITE PLAN

Iguana Mack's PATIO FLOOR PLAN

4/07

BAR FLOOR PLAN



USE Permit

12/14/2010

City of Chandler
Planning and Development Department
Re: USE Permit

I, Michael Conrad am requesting a USE permit from the City of Chandler for my business.

I became the owner on Nov 22, 2010 and operate the following:

Iguana Macks
1371 N. Alma School Dr
Chandler, AZ 85224

Phone: 480-899-6735

We are requesting a USE permit based on the stipulation that should Iguana Mack's change ownership, the new owner would require reapplication.

Our Liquor License #06070034

Our business hours are 7 days a week from 11am to 2 am. We currently have 52 employees all of whom are required to successfully complete the State certified liquor law training.

The restaurant is 8800 sq feet and has occupancy for 294 guests. The outdoor patio is 1800 sq feet and can accommodate 126 guests.

We have attached floor plans and site map for your review.

We serve a full menu all hours of operation and we also serve beer, wine and spirits.

We offer live music three times weekly with DJ's three or four times weekly. There are small dance areas on both patio and the inside bar area.

We have 10 speakers, and 20 televisions including patio and inside bar area.

We have 6 exits from our building including 3 access doors to and from the patio area.

We are in compliance with the Smoke Free Arizona law and have a specific and designated area along the outside of the building for smokers with access from the patio only.

We have 2 restrooms; both of which are handicap accessible.

Per security: We have held several meetings to date with our security staff and are fully engaged in providing a safe, secure environment for our guests. Our head of Security has previous military and bar experience and he brings his strong leadership and extensive skills to our restaurant.

The Security staff checks ID's at the front entrance as well as walking the site to periodically check ID's. They maintain a security log book to track and manage any occurrence and will also photograph any banned guests who are then prevented from entering the premises of Iguana Mack's. Each of our Security staff wears a security communication device and ear bud so as to be in 'real time' constant communication with one another to verify or coordinate any situation that may arise.

We have even provided these same communication devices to the security staff at Dos Gringo's establishment next door. They can then give our staff members updates on any troublesome guest at their restaurant whom may be heading to our restaurant. This allows our security staff to be ahead of any possible situation.

We have 16 security cameras installed in and outside of Iguana Mack's.

We also have taxicab parking stalls close to the entrance to provide assistance to our guests if need be, and also of course to discourage drinking and driving.

We have made no modifications to any part of the building, landscaping, pedestrian access or signage.

Please don't hesitate to contact Mindy Conrad at 480-213-3633 or Michael Conrad 480-213-3086 should you have any further questions.

Thank you for your assistance in securing a USE permit for the City of Chandler.