

AGENDA ITEM # \_\_\_\_\_

DATE: April 28, 2014

COAC NUMBER: 14-5230

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT: Application for a new  
Series 12 liquor license for The Burger  
Joint**

**STAFF PRESENTER:** Sue Brungardt,  
Deputy City Clerk  
**COMPANY**  
**CONTACT:** Jason Bates

**RECOMMENDATION:**

Approve a request from Jason Bates, Owner/Applicant, representing Sybarite, LLC, doing business as The Burger Joint, for a new Series 12 liquor license, #12079827, located at 525 N Estrella Parkway #105, Goodyear, Arizona. (*generally located north of the northeast corner of Estrella Parkway and Van Buren Street*).

**PURPOSE:**

Mr. Bates has applied for a Series 12 Liquor License for The Burger Joint, located at 525 N. Estrella Parkway, #105. The Burger Joint opened for business in March 2013 and the applicant purchased the restaurant in November 2013. The Burger Joint is not a franchise restaurant. The applicant has paid the \$635.00 fee.

**BACKGROUND AND COMMUNITY BENEFIT:**

The Office of the City Clerk received this application for a new Series 12 Liquor License, #12079827, on March 3, 2014. A Series 12 license is for a restaurant and is non-transferable. It allows the holder of the license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent of its gross revenue from the sale of food.

There will be a manager on site at all times. The Burger Joint will follow state recommended procedures for teaching employees about responsible alcohol service. Employees will ask for ID from all guests who appear to be under 40 years of age, and will monitor consumption and guest behavior. This business will contribute to the tax base of the community. There are no licensed childcare facilities within 300 ft. of the location.

A public hearing notice has been properly posted for the State mandated 20-day period. Any petitions or protests pursuant to A.R.S. 4-201 (b) received during the 20-day posting period will be added to this report. The applicant has submitted the proper paperwork. There is no information at this time that would prohibit the applicant from obtaining this license.

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control ("Department") for their consideration. If the City Council recommendation is for approval, no hearing is required

unless the Director of the Department, the State Liquor Board (“Board”), or any aggrieved party requests a hearing on the grounds that the public convenience and the best interest of the community will not be substantially served if a license is issued. If no hearing is requested, the Director may approve the license. If the City Council recommendation is for disapproval of an application, a statement of the specific reasons along with a summary of the testimony or other evidence supporting the recommendation for disapproval shall be attached to the order of disapproval and submitted to the Director and a public hearing will be held.

If the City Council recommendation is no recommendation, the Director may cancel the hearing and issue the license unless the Board, or any aggrieved party, protests and requests a hearing. If the reason for the protest is clearly removed or deemed satisfied by the Director, the Board shall cancel the hearing and the Department may issue the license. The application has been routed to Police, Fire, Code Enforcement, and Community Development. (Attachment A)

The completed application is on file in the office of the City Clerk.

**FISCAL ANALYSIS:**

The applicant has paid the \$635.00 application fee, and will be assessed an annual liquor license renewal fee per the Goodyear Municipal User Fee Schedule. This business will generate tax revenue from restaurant and bar sales tax.

**ATTACHMENTS:**

1. Attachment A
2. Goodyear liquor license locations within one mile
3. Restaurant menu

## ATTACHMENT "A"

Liquor License Application

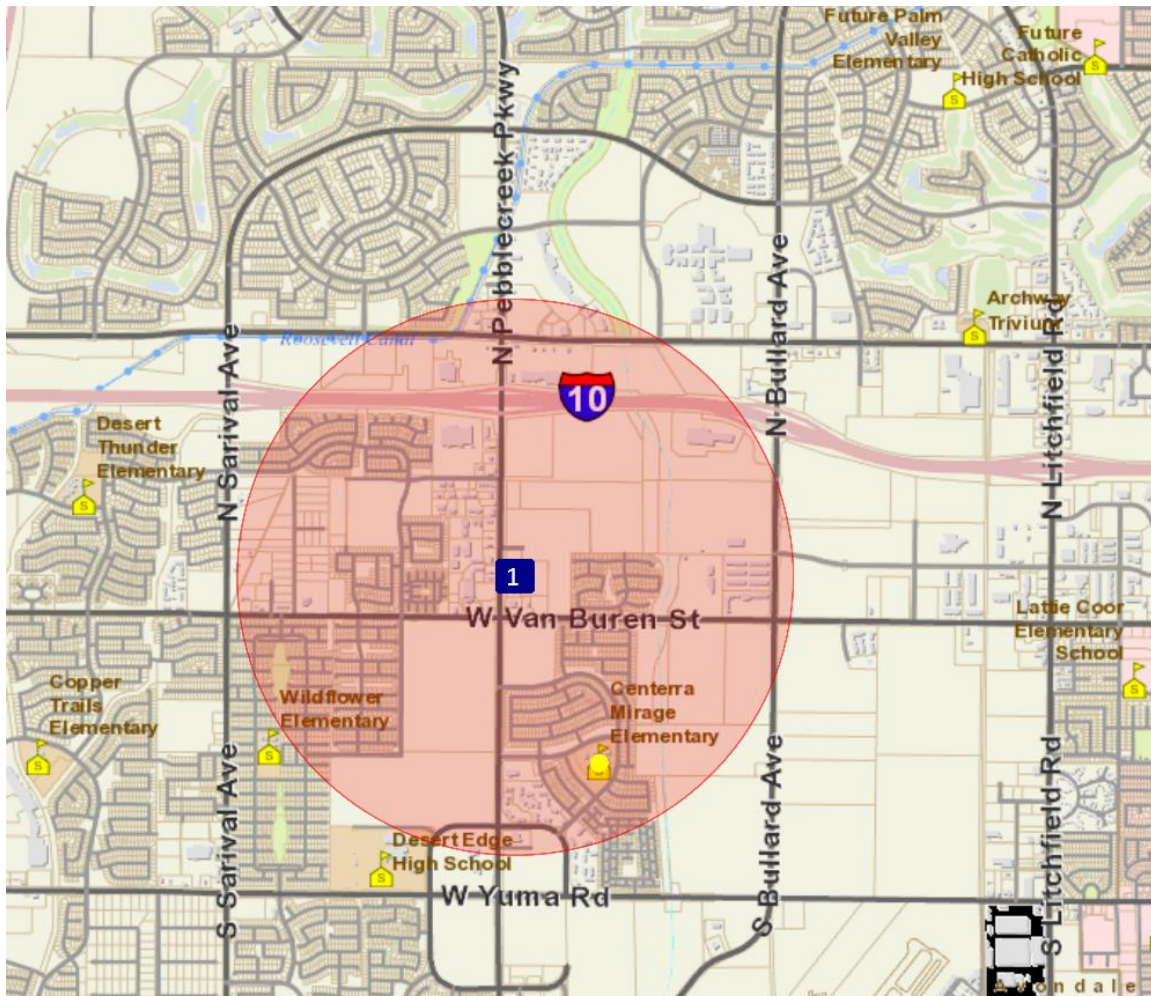
Date: 03/03/14

Applicant: Jason Bates

Business Name: The Burger Joint

License No.: #12079827

Department	Comments
Police	None
Fire	None
Code	None
Development Services	None



## Goodyear Liquor License Locations within One Mile

BUSINESS	ADDRESS	SERIES
WAL-MART SUPERCENTER	1100 N ESTRELLA PKWY	9
TEXAS ROADHOUSE	15255 W MCDOWELL RD	12
RED LOBSTER	15311 W MCDOWELL RD	12
ARRIBA MEXICAN GRILL	15370 W MCDOWELL RD	3
ARRIBA MEXICAN GRILL	15370 W MCDOWELL RD	12
BEVMO	15405 W MCDOWELL RD	9
OLIVE GARDEN	15411 W MCDOWELL RD	12
BARRO'S PIZZA	15475 W MCDOWELL RD, #103	12
AH-SO SUSHI & STEAK	15475 W MCDOWELL RD, #105	12
RUBIO'S FRESH MEXICAN GRILL	15479 W MCDOWELL RD	12
AUGIE'S SPORTS GRILL	15605 W ROOSEVELT ST	12
WALGREENS #12334	1654 N PEBBLE CREEK PKWY	10
AKAIHANA SUSHI & GRILL	2293 N PEBBLE CREEK PKWY	12
WALGREENS #02243	387 N ESTRELLA PKWY	10
SAFEWAY FOOD & DRUG	440 N ESTRELLA PKWY	9
AUSTIN'S RESTAURANT	530 N ESTRELLA PKWY	12
QUIKTRIP	575 N ESTRELLA PKWY	10
PF CHANGS	14681 W MCDOWELL RD	12

**Series 9 (Liquor Store)**

**Series 10 (Beer & Wine Store)**

**Series 11 (Hotel/Motel)**

**Series 12 (Restaurant)**