

AGENDA ITEM # _____

DATE: April 28, 2014

COAC NUMBER: 14-5239

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Application for a Series 7 Person Transfer liquor license for Rudy's "Country Store" & Bar-B-Q	STAFF PRESENTER: Sue Brungardt, Deputy City Clerk COMPANY CONTACT: Randy Nations
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RECOMMENDATION:

Approve a request from Randy Nations, Agent Applicant, representing Rudy's West Bar-B-Que LLC, doing business as Rudy's "Country Store" & Bar-B-Q (Rudy's), for a Series 7 Person Transfer/Location Transfer liquor license, #07070105, located at 845 N. Litchfield Rd, Goodyear, Arizona (*generally located near the Northeast corner of N. Litchfield Rd. and W. Test Drive, just south of the I-10 Interchange*).

PURPOSE:

Mr. Nations has applied for a Series 7 Liquor License for Rudy's "Country Store" & Bar-B-Q, located at 845 N. Litchfield Rd. Rudy's intends to open for business in June 2014. The applicant has paid the \$635.00 fee.

BACKGROUND AND COMMUNITY BENEFIT:

The Office of the City Clerk received this application on March 10, 2014. Mr. Nations is the agent in an administrative capacity only and does not hold any interest in the day-to-day operations of this business.

A Series 7 License is for beer and wine sales and is transferable from person to person and/or location to location within the same county. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container, for consumption on or off the premises.

A person transfer license includes partnerships, associations, limited liability companies or corporations, as well as a natural person. ARS 4-101(25).

A location transfer is the application process for moving a license from one premises to another within the same county. ARS 4-203.

Rudy's Country Store and Bar-B-Q is an old-fashioned country store and meat market that originated in Texas. The original location, which got its start as a one-stop gas station, garage and grocery store, added barbecue in 1989. Rudy's is not a franchise operation, but has locations in Oklahoma, Colorado, New Mexico, and Chandler, Arizona. The Chandler location has not had any liquor violations. This location will be the second restaurant to open in Arizona.

Rudy's will sell beer and wine in the restaurant area, as well as packaged sales to be taken off the premises through its retail store. This is allowed under a Series 7 license as long as the total of all off-sale liquor sales does not exceed 30% of on-sale retail liquor sales per license/location. It is the responsibility of the licensee to provide sales receipts upon request. Reference A.R.S. § 4-206.01(F).

There will be a manager on site at all times. Rudy's will follow state recommended procedures for teaching employees about responsible alcohol service and include procedures in their employee handbook. They have "WeScan ID", which double-checks the authenticity of ID and ensures it is checked properly. Employees that sell alcohol to a minor will be terminated. 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

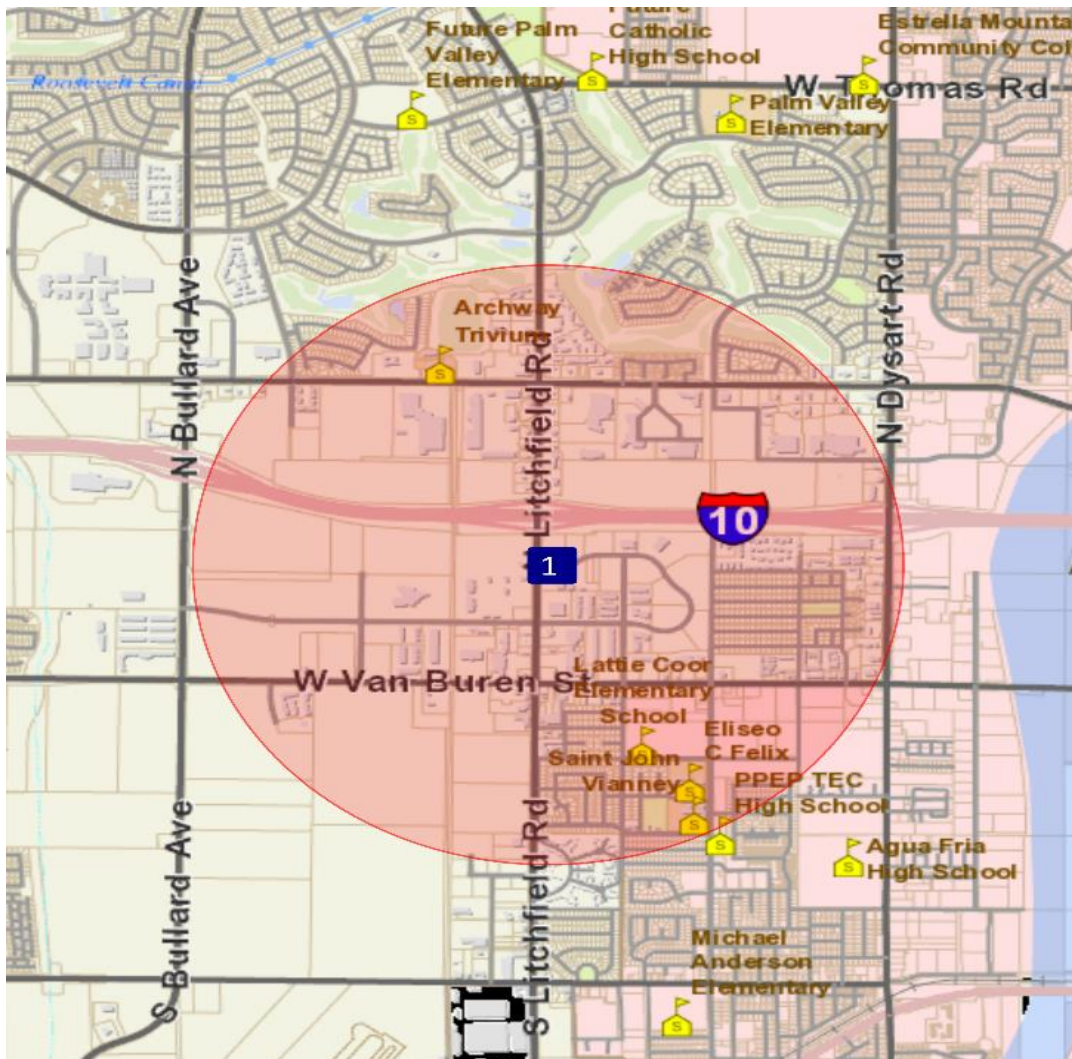
Date: 03/10/14

Applicant: Randy Nations

Business Name: Rudy's "Country Store" & Bar-B-Q

License No.: #07070105

Department	Comments
Police	None
Fire	None
Code	None
Development Services	None



Goodyear Liquor License Locations within One Mile

BUSINESS	ADDRESS	SERIES
99 CENTS ONLY STORE	13540 W VAN BUREN ST	12
APPLEBEE'S	13832 WEST MCDOWELL RD	10
BEST WESTERN PHOENIX GOODYEAR INN	55 N LITCHFIELD RD	12
BILL JOHNSON'S BIG APPLE RESTAURANTS	1330 N DYSART RD	10
BLACK ANGUS STEAKHOUSE	13766 W MCDOWELL RD	6
BLACK BEAR DINER	980 DYSART RD	12
BUFFALO WILD WINGS	13311 W MCDOWELL RD	12
CABALLERO GRILL	1800 N LITCHFIELD RD	12
CHILI'S GRILL & BAR	1371 N LITCHFIELD RD	12
CHIPOTLE MEXICAN GRILL	1560 N LITCHFIELD RD	12
CROSSROADS LOUNGE	950 N DYSART RD	6
GOODYEAR FOOD STORE	13310 W VAN BUREN ST	10
GUS'S NEW YORK PIZZA & BAR	13824 W MCDOWELL RD #A100	12
HAYASHI HIBACHI	1480 N LITCHFIELD RD	12
HOLIDAY INN HOTEL & SUITES	1188 N DYSART RD	11
MACAYOS RESTAURANT	1474 N LITCHFIELD RD	12
MAJERLE'S SPORTS GRILL	13375 W MCDOWELL RD	12
MANUELS MEXICAN FOOD RESTAURANT	13319 W MCDOWELL RD	12
MARISCOS CAMARON PELAO	350 N DYSART RD # 201	12
MCLANE BEVERAGE DISTRIBUTION	14149 W MCDOWELL RD	4
MIMI'S CAFE	1220 N DYSART RD	12
MR SCRIB'S PIZZA	1380 N LITCHFIELD RD K3A	12
NAKAMA SUSHI	13215 W MCDOWELL RD # D-3	12
QUIKTRIP #446	550 N DYSART RD	10
RAUL & THERESA'S	1363 N LITCHFIELD RD	12
RED ROBIN	14551 W MCDOWELL RD	12
ROMANO'S MACARONI GRILL	1828 N LITCHFIELD RD	12
SALA THAI RESTAURANT	432 LITCHFIELD RD #304	12
SAL'S TUSCAN GRILL	13291 W MCDOWELL RD #E7	12
SAMURAI ASIAN BISTRO	330 N DYSART RD # 101	12
TARGET #1242	1515 N LITCHFIELD RD	10
TOTAL WINE & MORE #1008	1416 N LITCHFIELD RD	9

Series 4 (Wholesaler)
 Series 6 (Bar-All Liquor)
 Series 9 (Liquor Store)
 Series 10 (Beer & Wine Store)
 Series 11 (Hotel/Motel)
 Series 12 (Restaurant)