D.

JUL 01 2009

Chandler • Arizona
Where Values Make The Difference

MEMORANDUM **Planning and Development – PZ Memo No. 09-060**

DATE: JUNE 23, 2009

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

SUBJECT: UP09-0018 NATE'S THIRD BASE RESTAURANT

Request: Use Permit approval to allow liquor sales and service as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at a new restaurant.

Location: 1949 West Ray Road, Suite 11, within the Boardwalk at Andersen Springs at the southeast corner of Ray and Dobson Roads

Applicant: Nate Myres

RECOMMENDATION

The application requests Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at a new restaurant within an existing commercial center. Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommends approval.

BACKGROUND

A Series 12 license, which is considered a "restaurant license," allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food.

The subject property is located at the southeast corner of Ray and Dobson Roads within the Boardwalk at Andersen Springs Shopping Center. This center is zoned Planned Area Development (PAD) and is surrounded by a man-made lake and condominiums to the south and east, a shopping center to the north across Ray Road, and single-family homes to the west across Dobson Road.

Since 1997, the Groovy Mundo and Boardwalk Grill restaurants have occupied the restaurant tenant space. The original Use Permit for a Series 12 Restaurant License was issued to Waterfront Grill, LLC. The original restaurant owner, with the name changed to Groovy Mundo Grill, was issued a Series 6 Bar License with a 1-year time limit in September of 2000. The Series 6 License was issued with the understanding that the applicant acquire a Series 6 license for its catering business and for the operation of a full service restaurant and bar. The Use Permit excluded uses such as cocktail lounges and nightclubs. In October 2001, the restaurant was sold to the second owner who chose to emphasize the restaurant's menu and food service. The new owner, keeping the restaurant's name Groovy Mundo Grill, applied for and received a Series 12 Restaurant License without expiration.

Ownership changed hands again in the years to follow with the third owner changing the restaurant's name back to the Waterfront Grill and offering a smaller bar menu, choosing later operating hours, and bringing in live entertainment. These changes altered the character of the business and the restaurant was no longer able to operate under the Series 12 License. Under a new (fourth) owner, the site received Use Permit approval for Series 6 Bar License Use Permit for one year in May 2006. The last liquor use permit was approved in 2007 as a Series 6 bar License for Waterfront Grill with a one year time limit, which has since expired.

This current application requests approval of a Series 12 Restaurant License for a family-style American cuisine restaurant. The restaurant intends to be open Monday through Friday from 10 a.m. to 2 a.m. and Saturday/Sunday 8 a.m. to 2 a.m. The restaurant offers breakfast, lunch, and dinner menus as well as a kid's menu.

The restaurant is approximately 4,200 square foot with an outdoor patio along the lakefront of approximately 1,280 square feet (64 feet by 20 feet). The indoor dining area has 88 seats, the indoor bar area has 42 seats, and the outdoor dining area is planned to accommodate approximately 60 seats. The new restaurant is maintaining much of the interior layout and furnishings left by the previous restaurant. Interior entertainment amenities include one pool table, three arcade games, and televisions. The application requests to have live entertainment that would occur only in the afternoon once a week as an acoustic setup indoors only, no live bands or music at night. Karaoke would occur inside the restaurant one night a week.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting was held on June 15, 2009. No one attended other than the applicant.
- The Police Department has been informed of the application and has responded with no issues or concerns.
- At the time of the memo, Staff is not aware of any opposition to this request. Staff has received a couple of phone calls from area residents excited the restaurant is opening again and support the liquor use permit request.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan and PAD zoning, recommends approval of Use Permit UP09-0018 NATE'S THIRD BASE RESTAURANT, subject to the following conditions:

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.

2. The Use Permit is granted for a Series 12 license only, and any change of licenses shall require re-application and new Use Permit approval.

3. The Use Permit is non-transferable to other restaurant locations.

4. The site shall be maintained in a clean and orderly manner.

5. The patio shall be maintained in a clean and orderly manner.

6. There shall be no live entertainment outdoors including acoustic groups, bands, and the like.

7. Indoor music is limited to an acoustic group and karaoke no more than once a week for each. Any change in entertainment including pool tables, arcade games, live music, and the like shall require re-application and new Use Permit approval.

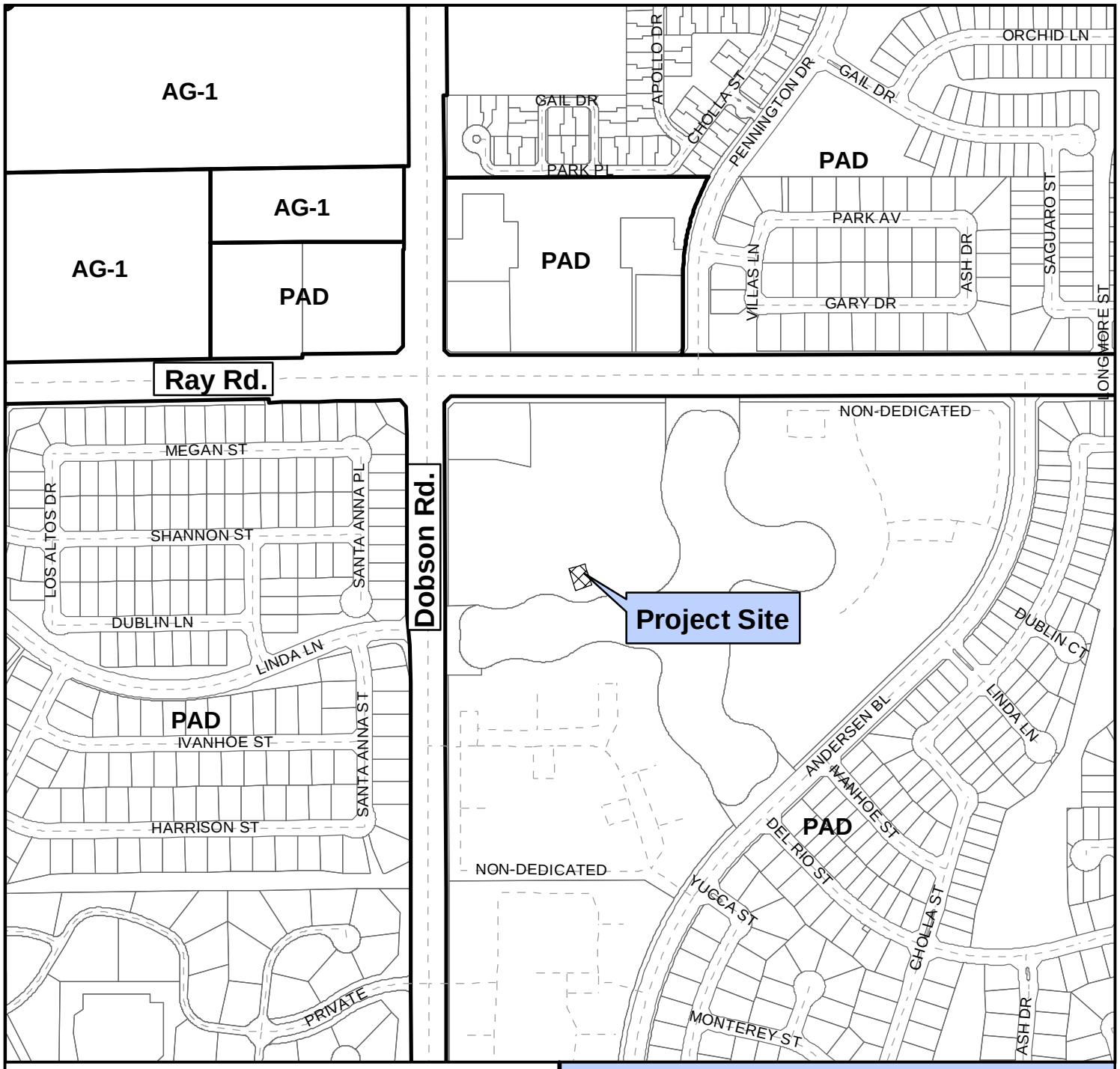
8. Noise shall be controlled so as to not cause a nuisance for nearby residences.

PROPOSED MOTION

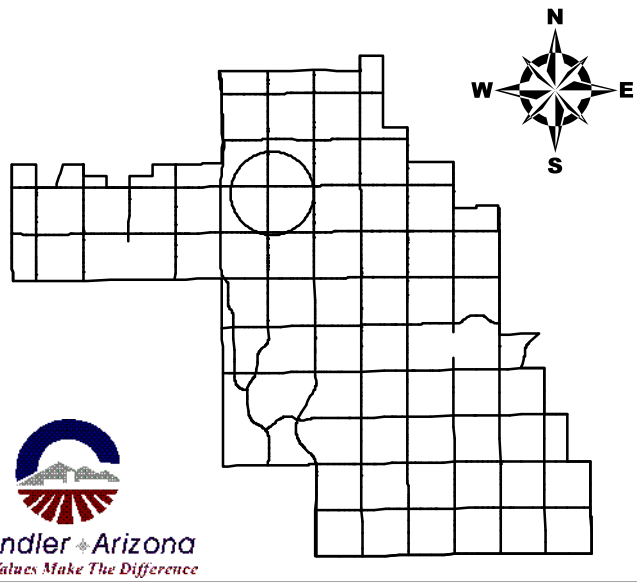
Motion to recommend approval of UP09-0018 NATE'S THIRD BASE RESTAURANT Use Permit, subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map

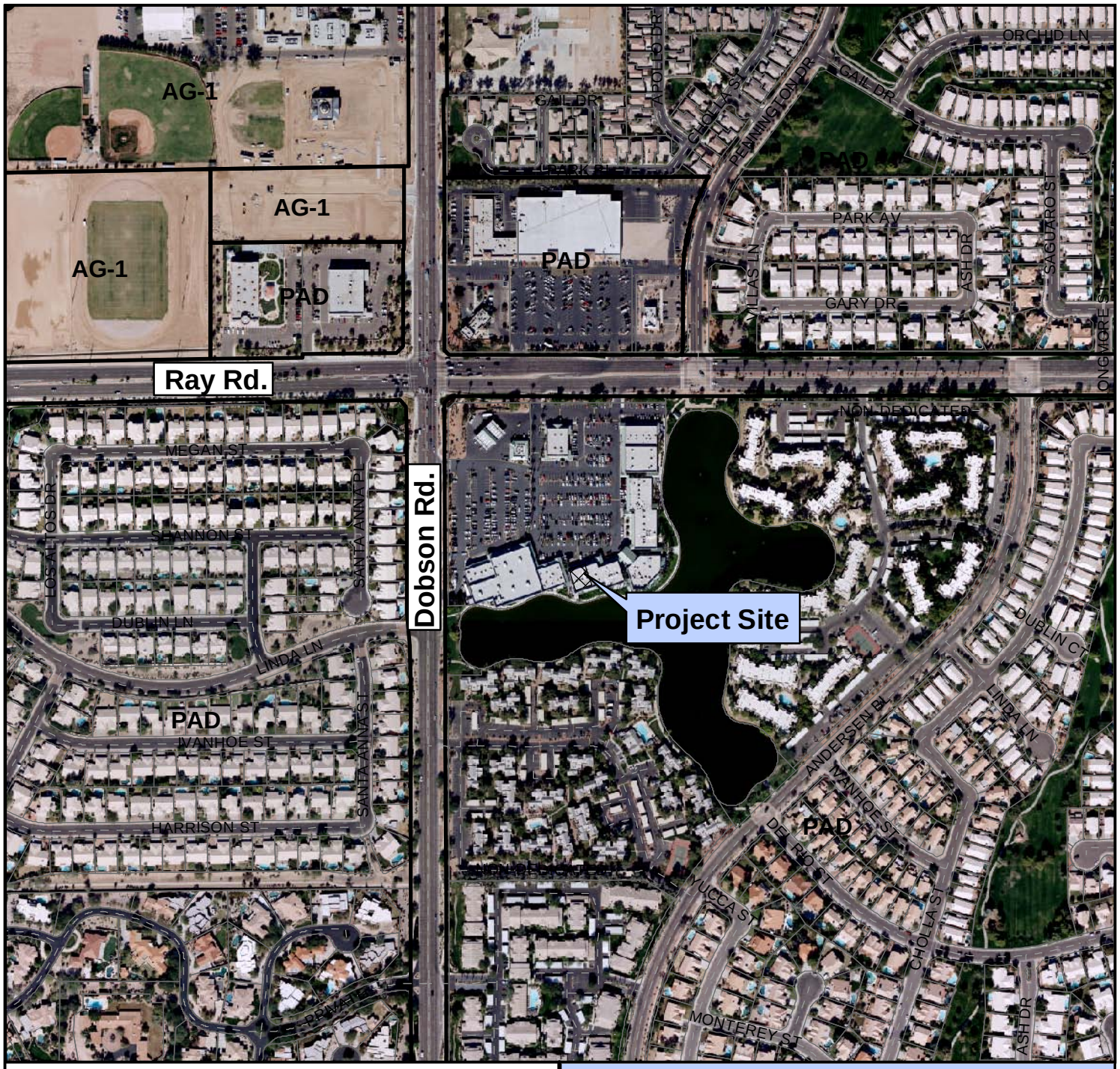


UP09-0018

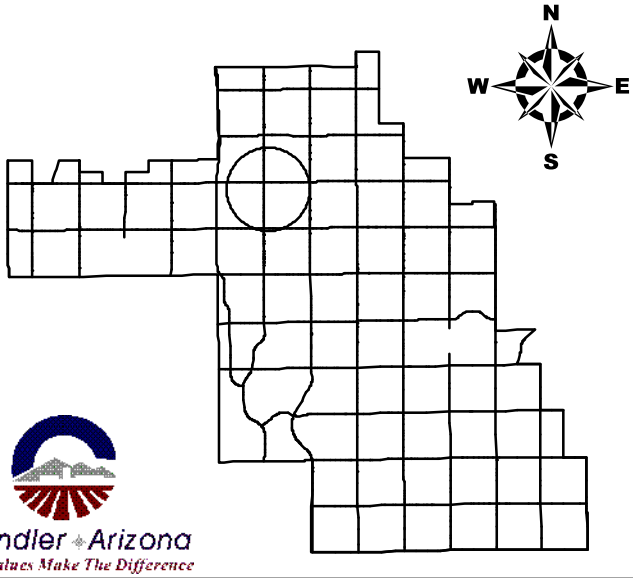
Nate's Third Base Restaurant
Liquor Use Permit

Chandler Arizona
Where Values Make The Difference

CITY OF CHANDLER 5/27/2009



Vicinity Map



Chandler Arizona
Where Values Make The Difference

UP09-0018

Nate's Third Base Restaurant
Liquor Use Permit

CITY OF CHANDLER 5/27/2009

City of Chandler Planning and Development
215 E. Buffalo Street
Chandler, AZ 85225

May 18, 2009

Use Permit Narrative

This narrative is respectfully submitted for your consideration in the issuing of a Liquor Use Permit for a series 12 liquor license at the location of 1949 E. Ray Road, Suite 11, Chandler, AZ 85224.

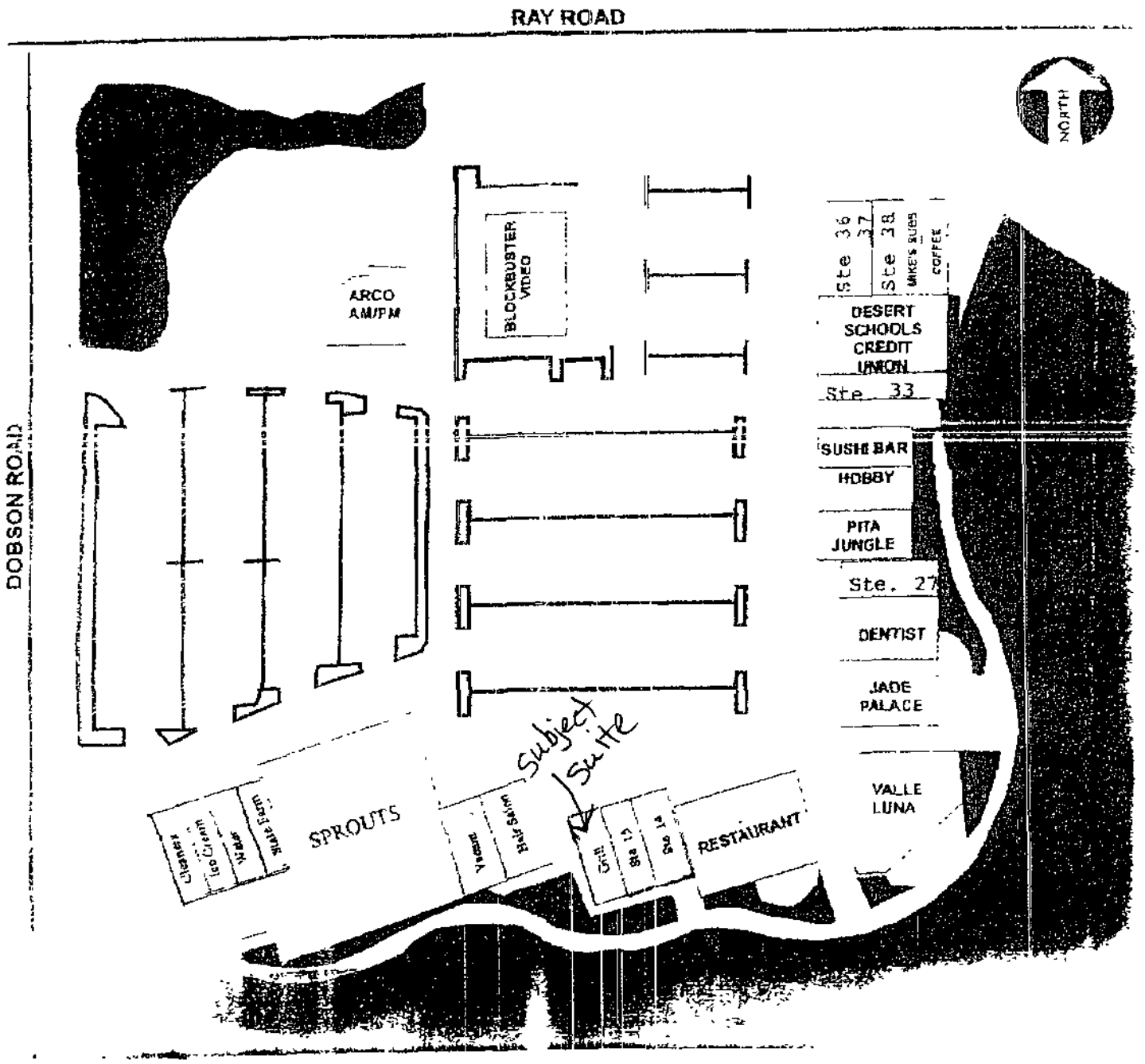
This space will be known as Nate's Third Base Restaurant. It will be a family style American cuisine restaurant with a large menu that includes many different types of food at a reasonable price that families can afford. We will be open Monday through Friday 10am to 2am. Saturday and Sunday we will be opening at 8 am. We will offer separate breakfast, lunch and dinner menus as well as a kids menu. The restaurant space is 4200 square feet and the patio is 64 ft by 20 ft and is well more than twenty feet from any entrance to any business. We anticipate opening with 10 employees, including my wife and I, who have attended liquor training classes and have food handlers cards. We plan on having one pool table, three arcade games, televisions and possibly a claw machine for entertainment. Any form of live music would be in the afternoon with an acoustic set up, not a loud band at night. We might have karaoke, inside, one night a week. We have not made any structural changes inside or outside of the business. We have added new paint to brighten up the space and added booth seating. It is our intention to not only serve the citizens of Chandler and their families, but also the employees of the surrounding businesses.

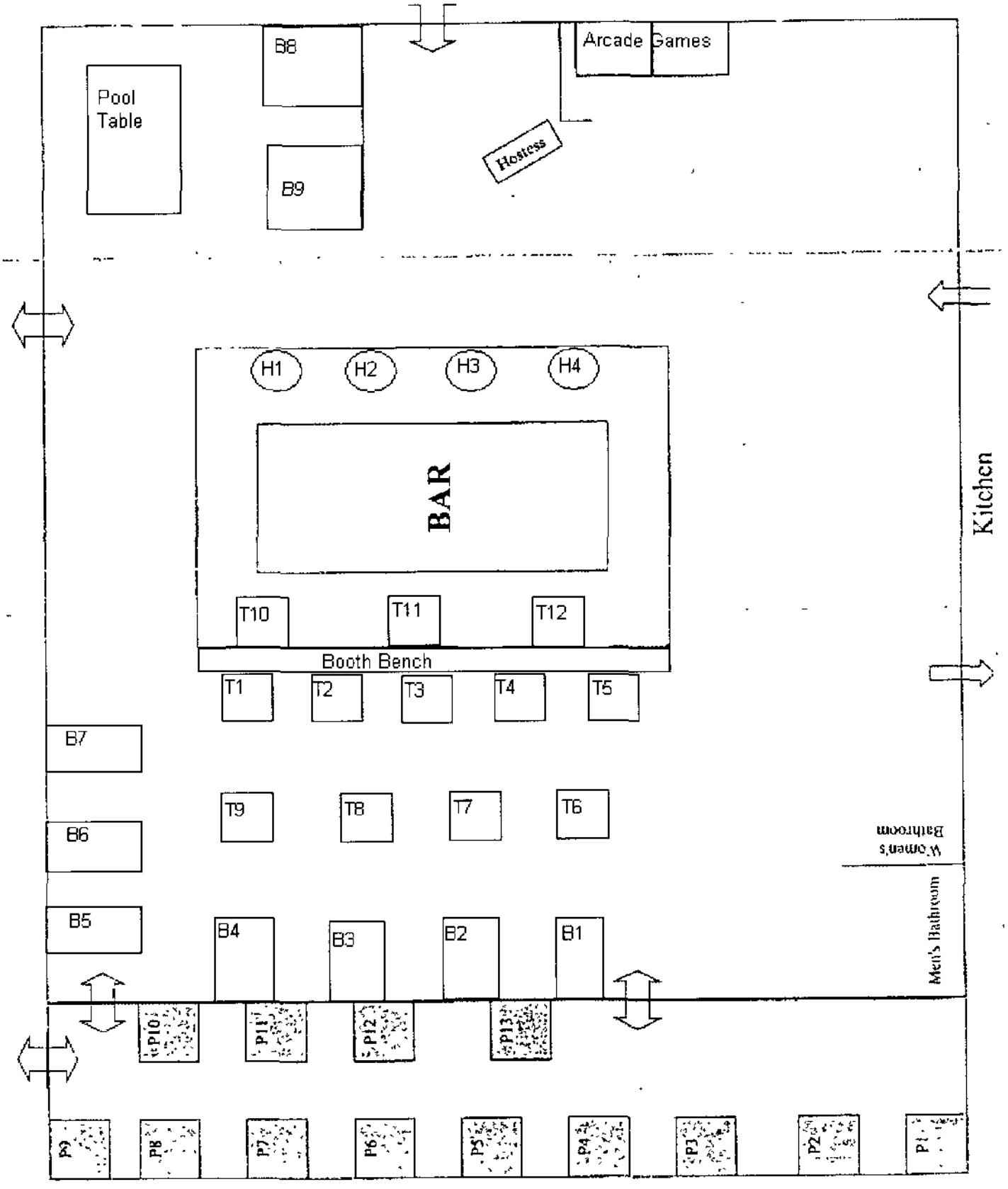
If you have any questions please do not hesitate to call me.

Respectfully submitted,

Nate Myres
(602) 326-8163

EXHIBIT "A"


RAY ROAD
DOBSON ROAD
NORTH
ARCO AM/PM
BLOCKBUSTER VIDEO
Ste 36
37
Ste 38
MIKE'S SUBS
COFFEE
DESERT SCHOOLS CREDIT UNION
Ste 33
SUSHI BAR
HOBBY
PITA JUNGLE
Ste. 27
DENTIST
JADE PALACE
VALLE LUNA
SPROUTS
Subject Suite
RESTAURANT


Pool Table
B8
B9
Arcade
Games
Hostess
H1
H2
H3
H4
BAR
T10
T11
T12
Booth Bench
T1
T2
T3
T4
T5
B7
T9
T8
T7
T6
B6
B5
B4
B3
B2
B1
Kitchen
Women's Bathroom
Men's Bathroom
P10
P11
P12
P13
P9
P8
P7
P6
P5
P4
P3
P2
P1

Appetizers

Beer battered chicken strips $6.59
-Chicken strips battered in our homemade beer batter and cooked to crispy perfection
Onion rings $4.99
-Fresh onions cut into rings and battered in our homemade beer batter
Irish Nachos (chicken or ground beef) $7.99
-Our fresh cut fries smothered in three types of cheeses and your choice of meat
Pretzels $4.99
-3 pretzels deep fried to a crispy perfection and served with spicy Dijon mustard (add nacho cheese .99)
Spinach and artichoke dip $6.99
-Homemade spinach dip served with French bread toast for dipping
Sliders (beef/chicken/meatball) $6.99
-Four mini burgers served with cheese and a pickles
Quesadilla (cheese/chicken/beef) $4.99 add 2.00 for meat
-A tortilla folded in half and filled with melted cheese and your choice of meat
Big garlic bread $4.99
-three feet of our garlic bread served with our marinara dipping sauce (add cheese 2.00)
Boneless chicken wings $6.59
-Boneless and breaded chicken wings served in your favorite sauce (mild, medium, hot, bbq)
Chicken wings $6.99
-The appetizer the put Nate's on the map. Dozen wings in your choice of sauce.
Homemade Clam Chowder $4.99 bowl
-Freshly made clam chowder stuffed full of clams, potatoes and our other secret ingredients.

Side Dishes

Side salad $3.59
Side Caesar $3.99
Cottage Cheese $1.99
French Fries $2.99 Lg $3.99
Mashed potatoes $1.99
Cole Slaw $1.99
Baked Potato $2.99
Seasonal Fruit bowl $3.99

Sandwiches

Meatball Sub $6.99
-Meatballs smothered in marinara and mozzarella served on a sub roll
Shaved Beef $7.59
-Freshly shaved roast beef on sub roll
French Dip $7.99
-Roast beef covered in melted cheese and served with au jus served on a sub roll

Monte Cristo$7.59
-Ham, turkey and American cheese dipped in batter and fried, topped with powdered sugar and jelly
BLT on Texas Toast $6.59
-Loaded with bacon, fresh lettuce and tomatoes
Grilled Cheese $5.99
-Texas toast and American cheese
Turkey Avocado on Croissant $7.59
-Freshly shaved turkey on a croissant, with avocados, tomatoes and lettuce
Ham and Cheese on Croissant $7.29
-Hot ham and cheese on a buttery croissant
Club Croissant $7.99
-Turkey, ham and bacon with lettuce, tomato and American cheese
Po Boy $7.99
-Our homemade deep fried fish on a roll topped with lettuce, tomato and cole slaw

Salads

Caesar $5.99 add chicken $2
-The Tijuana classic. Served on fresh romaine, croutons, cheese and homemade dressing
Cobb $7.99
-Grilled chicken, bleu cheese crumbles, carrots, croutons and garden greens
Chef $7.99
-Chopped turkey and ham, carrots, croutons, shredded cheese and garden greens
Wedge $4.99
-A fresh cut wedge of iceberg lettuce smothered in bleu cheese
Buffalo Bacon $7.99
-Breaded chicken rolled in our buffalo sauce on a bed of lettuce, covered in bacon and American cheese
Taco $7.99
-Chopped chicken or ground beef in a bed of lettuce served in a taco bowl with cheese, salsa and sour cream
Greek $6.99
-The classic. Lettuce, tomatoes, cucumbers, greek olives and feta cheese in our homemade dressing
Fruit $5.99
-Chopped seasonal fruit

Burgers
(substitute a veggie patty or chicken breast for any burger)
Nate's Best Burger Ever $7.99
-Bacon, cheese, onion ring, lettuce, tomato, bbq sauce, ranch dressing on a bun.

Black and Blue $7.99
-Melted blue cheese crumbles and fresh cooked bacon
ABC (avocado, bacon, cheddar) $7.99
-Fresh cut avocados on a bed of bacon and cheddar cheese
Paddy melt $6.99
-Grilled onions and melted cheese on a burger served on texas toast
Jiffy Burger $6.59
-The Boston classic. Crunchy peanut smothering a burger.
Jalapeno $6.99
-Fresh jalapenos and pepper jack cheese
Mushroom $6.99
-Grilled mushrooms with melted swiss cheese
Breakfast $6.99
-American cheese, bacon and a fried egg
Hamburger $5.99 add cheese $.50

Entrees
Sheppard's Pie $8.99
-Ground beef and veggies covered in mashed potatoes and melted cheese
Fish n chips $7.99
-Our homemade beer battered fish on a bed of fries with a side of coleslaw
8 oz Sirloin $9.99
-An 8 oz cut of choice sirloin
12 oz Sirloin $13.99
-A 12 oz cut of choice sirloin
Liver and Onions $8.99
-Fresh pan seared liver with sautéed onions
Pan Seared Fish $9.59
-Flaky white seasonal fish pan seared in butter and herbs
Whiskey Steak $10.99
-A blend of whiskey and onions on a marinated 8 oz. steak
Blue Steak $10.99
-An 8 oz. steak with melted bleu cheese
Spaghetti and Meatballs $7.99
-A huge plate of spaghetti and our homemade meatballs, served with garlic bread
Grilled Salmon $9.99
-Fresh salmon grilled to perfection

Kids Menu $3.99 or $4.59 with a drink
Macaroni and Cheese
-Ours is the cheesiest with fries or fruit

Chicken Tenders
-2 of our homemade chicken tenders with fries or fruit
Grilled Cheese
-a fresh made grilled cheese with fries or fruit
Spaghetti and Meat Balls
-a kids sized serving of our spaghetti and homemade meatballs and garlic bread
Sliders
-3 mini burgers with fries or fruit
PB&J
-The old standby with fries or fruit

Breakfast
Breakfast Burrito $5.99
123- 1 pancake, 2 eggs, 3 meat $6.50
Homemade Biscuits and Gravy $6.59
3 Pancakes and meat (add eggs $2) $5.99
Seasonal Fruit Pancakes $6.99
Chocolate Chip pancakes $6.99
Hungry Man- 3 Eggs, 3 meats, toast, home fries (add 2 pancakes $2) $7.99
Garbage Plate – Potatoes with meat, eggs and cheese 7.59