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MEMORANDUM **Transportation & Development - CC Memo No. 11-087**

DATE: AUGUST 24, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER ^{PM}
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR ^{RJZ}
 JEFF KURTZ, PLANNING ADMINISTRATOR ^{JK}
 KEVIN MAYO, PLANNING MANAGER ^{KM}

FROM: ERIK SWANSON, CITY PLANNER ^{ES}

SUBJECT: LUP11-0015 THE LIVING ROOM

Request: Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license for an existing restaurant and outdoor patio

Location: 2475 W. Queen Creek Road, Ste. 1;
 West of the southwest corner of Queen Creek and Dobson Roads

Applicant: Mike Perry; Whitneybell Perry, Architect

RECOMMENDATION

The request is for Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license for an existing restaurant and outdoor patio. Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommend approval with conditions.

BACKGROUND

The subject site is located west of the southwest corner of Queen Creek and Dobson roads, within the Downtown Ocotillo commercial shopping center. The subject site is located in a suite within an inline shops space. Queen Creek Road is directly north of the site. Parking fields are located east and south of the site. West, adjacent to the restaurant are shop spaces.

The subject site received Use Permit approval to sell alcohol in conjunction with a Series 12 (Restaurant) liquor license for the restaurant and an extended outdoor patio in May of this year. Following the Council approval, the restaurant owners were audited by the State, and were just

short of the ratio required for a Series 12. The restaurant primarily serves appetizers, soups, salads, and sandwiches, and does not offer a typical lunch and dinner menu, making the requirement to derive 40% of sales from food and non-alcoholic drinks difficult.

The subject site is an approximate 2,180 square foot suite occupying the eastern half of an approximate 7,000 square foot inline shops building. The dining and bar areas total approximately 1,430 square feet and can accommodate 104 patrons. The kitchen area is approximately 307 square feet. Two separate outdoor patios are provided; one patio is located west of the main entrance on the south side of the building, and the second patio is located east of the main entrance on the south side of the building and wraps around the eastern face of the building. The patios total approximately 889 square feet.

The site, when initially designed, required 27 parking stalls; 71 were provided. With the expanded patio area an additional four parking spaces are required. The site has an abundance of 40 parking spaces.

DISCUSSION

In addition to serving alcohol in conjunction with a Series 6 liquor license, the restaurant is requesting the ability to provide live entertainment on a limited basis. The request for the live entertainment is relatively recent, as live entertainment was not being provided during the last Use Permit process in May. As proposed, the entertainment will consist of local individual artists playing acoustic music Sunday through Tuesday. Sunday, the hours are from 3-7 p.m. and on Mondays and Tuesdays from 6-10 p.m. Wednesday through Saturday, a local DJ plays from 6-10 p.m. during the week and on the weekends until 11 p.m. The entertainment is located at the western end of the restaurant, and is designated on the attached floor plan. Staff believes that the live entertainment component does not present a concern to the surrounding area as the restaurant is roughly a quarter-mile from the nearest single-family home (northeast corner of Queen Creek and Dobson roads) and 900-feet from the nearest multi-family development (southeast corner of Queen Creek and Dobson roads).

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on Tuesday, August 16, 2011; no neighbors attended.

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

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of LUP11-0015 THE LIVING ROOM, subject to the following conditions:

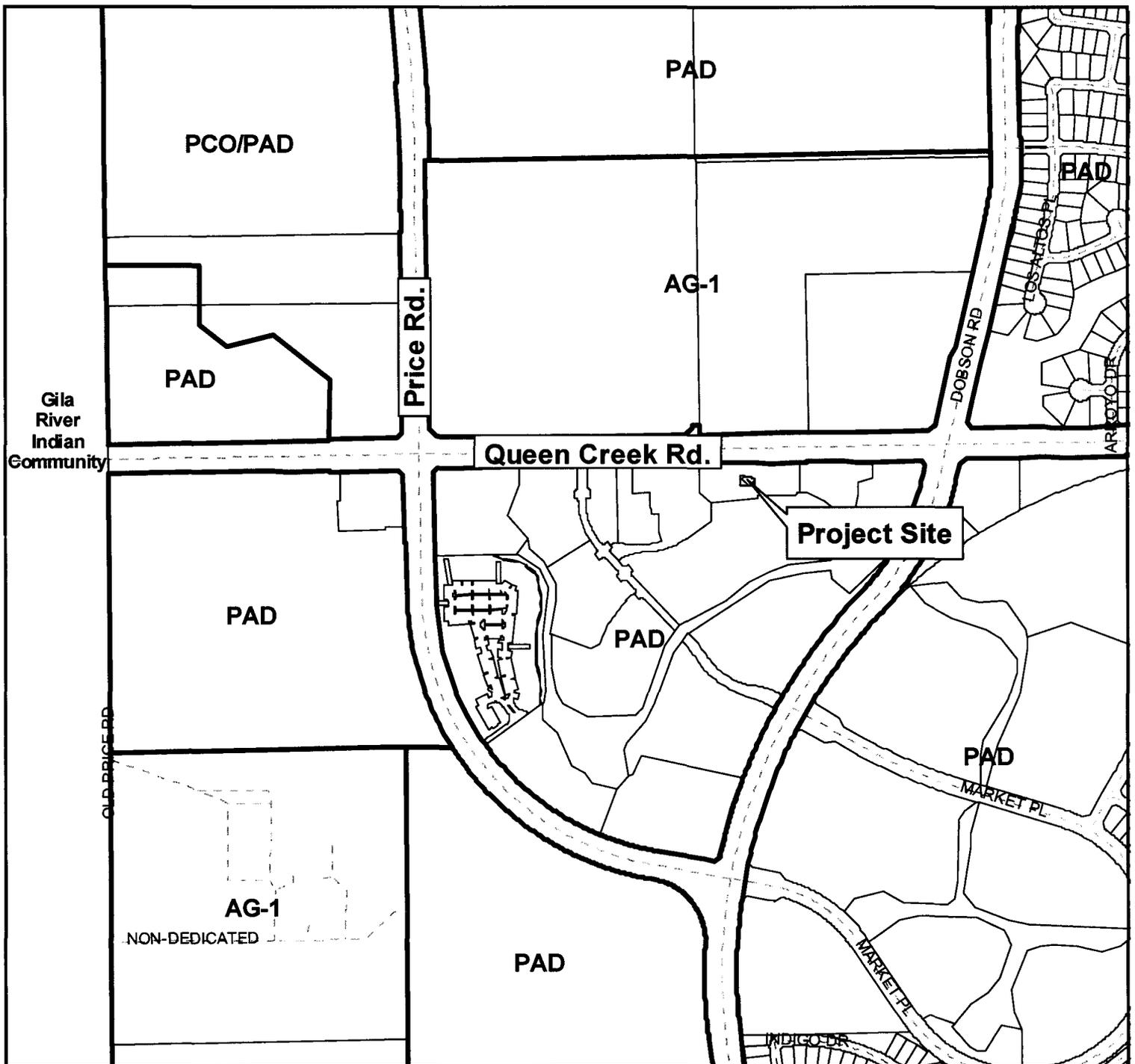
1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to other store locations.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit is granted for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
6. No noise shall be emitted from outdoor speakers or acoustical musicians on the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.

PROPOSED MOTION

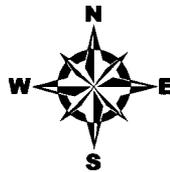
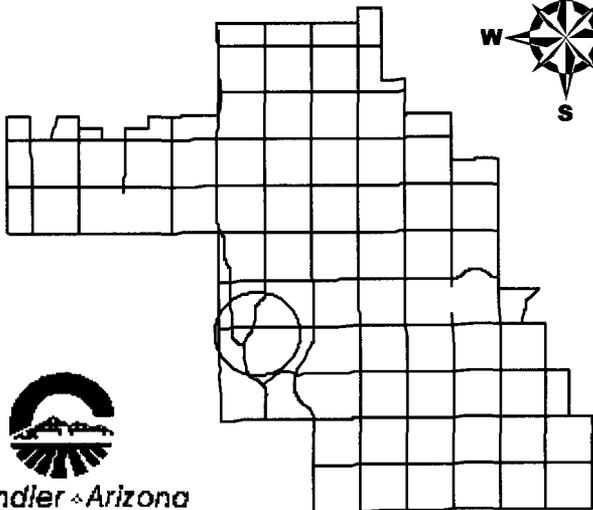
Move to approve LUP11-0015 THE LIVING ROOM, Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license; subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan



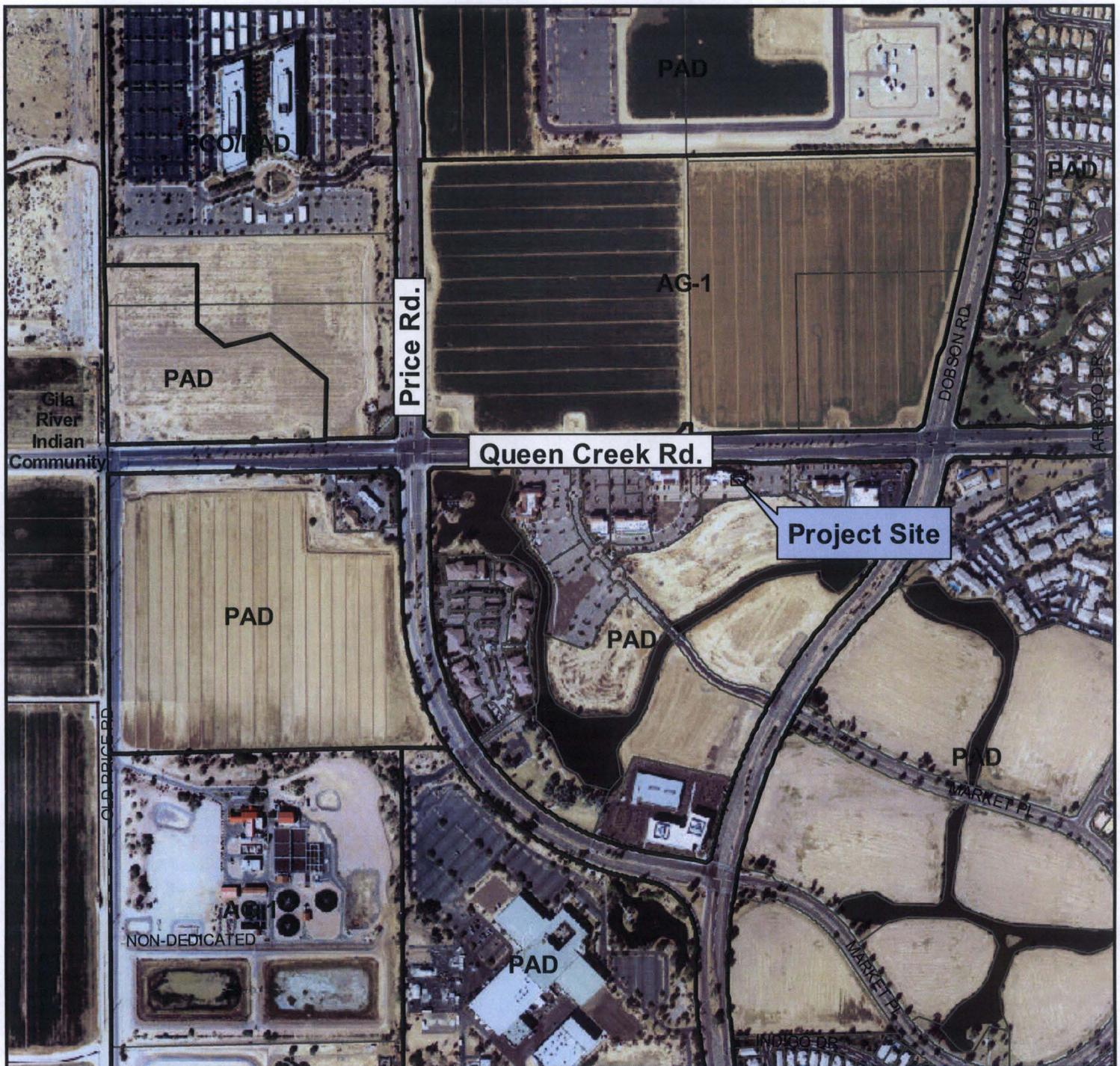
Vicinity Map



LUP11-0015

**The Living Room
Liquor Use Permit**





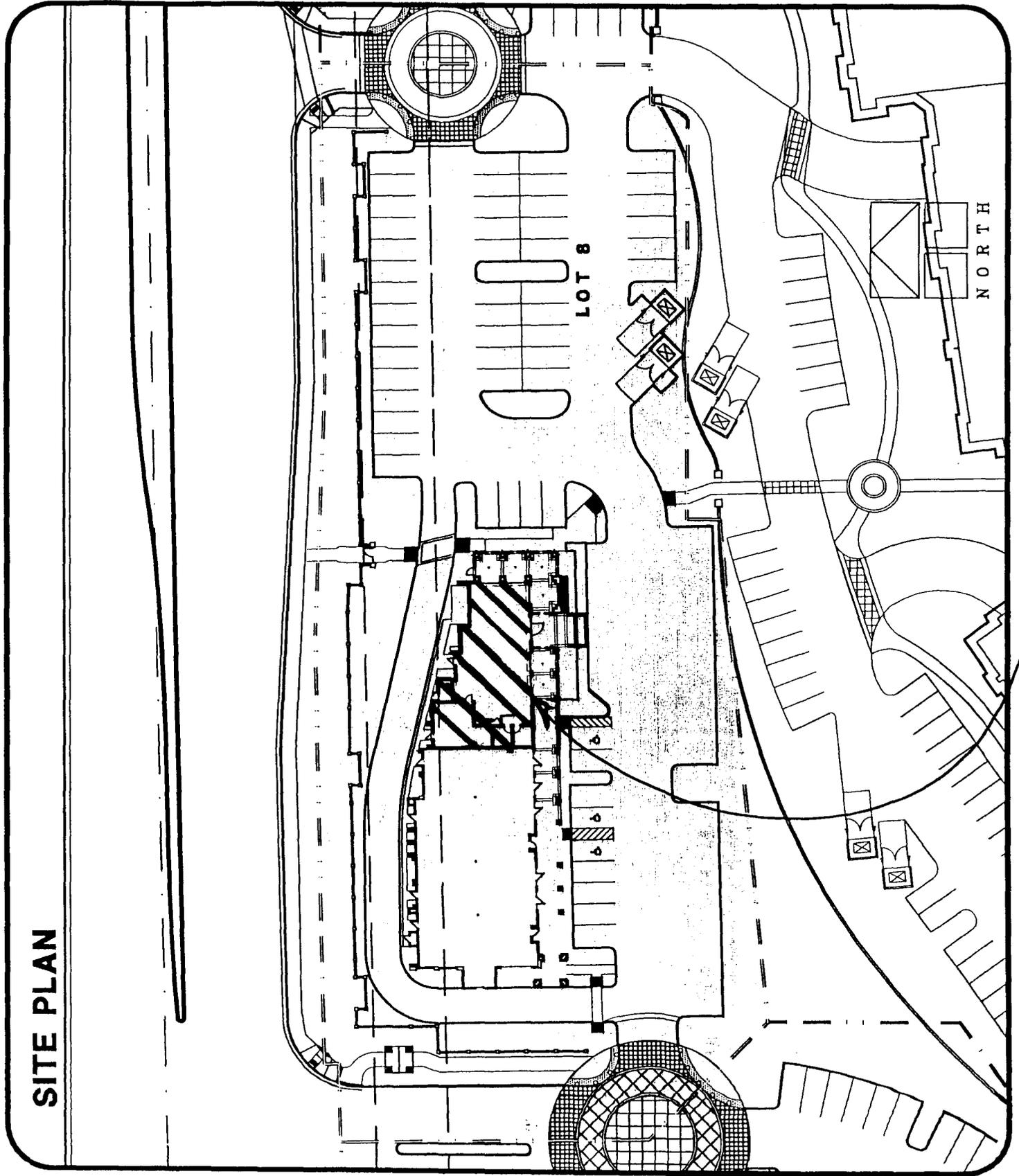
Vicinity Map



LUP11-0015

**The Living Room
Liquor Use Permit**

SITE PLAN

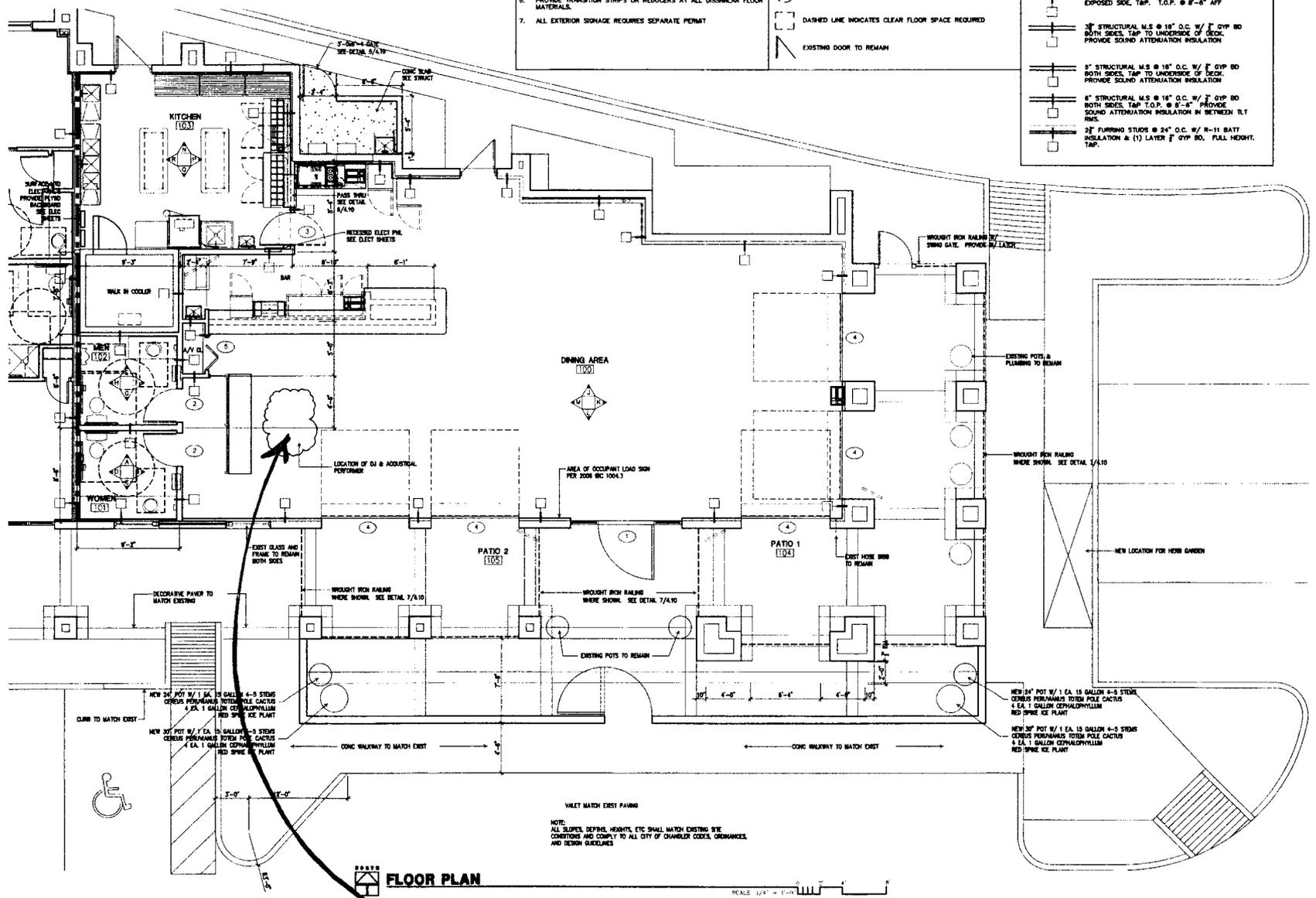


SUBJECT SITE

GENERAL NOTES:	LEGEND	WALL LEGEND
1. PROVIDE 1/2" WATER RESISTANT GYP BD ON ALL MET WALLS.	DOOR SYMBOL - SEE DOOR SCHEDULE SEE SHEET 1.12	1 HOUR RATED SEPARATION WALL LS DESIGN - UADA, STC - 50 TO 54 6" M.S. @ 16" O.C. W/ SOUND ATTENUATION INSULATION & (1) LAYER F TYPE X GYP BD BOTH SIDES FULL HT TO UNDERSIDE OF DECK.
2. SEE STRUCTURAL DRAWINGS AND DETAILS FOR ADDITIONAL INFORMATION ON WALL CONSTRUCTION AND BRACING	WALL DESIGNATION - SEE WALL LEGEND	3" STRUCTURAL M.S. @ 16" O.C. W/ F GYP BD BOTH SIDES, T.O.P. @ 6'-8" AFF
3. SEE SHEET 4.10 FOR DOOR CLEARANCE REQUIREMENTS	INTERIOR ELEVATION SYMBOL - SEE SHEET 3.10	3" STRUCTURAL M.S. @ 16" O.C. W/ F GYP BD EXPOSED SOLE, T.O.P. @ 6'-8" AFF
4. ALL DIMENSIONS ARE TAKEN TO CENTER LINE OF WALL UNLESS NOTED OTHERWISE.	ROOM NAME AND NUMBER - SEE ROOM FINISH SCHEDULE THIS SHEET	3" STRUCTURAL M.S. @ 16" O.C. W/ F GYP BD BOTH SIDES, TAP TO UNDERSIDE OF DECK, PROVIDE SOUND ATTENUATION INSULATION
5. SEE SHEET 1.13 FOR EQUIPMENT & FURNITURE INFORMATION	DASHED CIRCLE INDICATES 90° DIA TURN AROUND SPACE.	6" STRUCTURAL M.S. @ 16" O.C. W/ F GYP BD BOTH SIDES, TAP TO UNDERSIDE OF DECK, PROVIDE SOUND ATTENUATION INSULATION
6. PROVIDE TRANSITION STRIPS OR REDUCERS AT ALL UNSIMILAR FLOOR MATERIALS.	DASHED LINE INDICATES CLEAR FLOOR SPACE REQUIRED	6" STRUCTURAL M.S. @ 16" O.C. W/ F GYP BD BOTH SIDES, TAP TO UNDERSIDE OF DECK, PROVIDE SOUND ATTENUATION INSULATION IN BETWEEN ILT RMS.
7. ALL EXTERIOR SIGNAGE REQUIRES SEPARATE PERMIT	EXISTING DOOR TO REMAIN	3" FURRING STUDS @ 24" O.C. W/ R-11 BATT INSULATION & (1) LAYER F GYP BD, FULL HEIGHT, TAP.

Contractor must verify all dimensions of project before proceeding with this work. Do not commence these activities and measurements without the presence of the architect. The architect shall not be responsible for the accuracy of the contractor's measurements and shall verify the accuracy of the contractor's measurements and shall not be held responsible for any errors or omissions. The contractor shall be responsible for the accuracy of the contractor's measurements and shall not be held responsible for any errors or omissions. © Copyright WhitneyBell Perry Inc 2008

Notes of structure below for structural code. This section shows (only) what the owner is asking for. It is not a contract. The contractor shall be responsible for the accuracy of the contractor's measurements and shall not be held responsible for any errors or omissions. The contractor shall be responsible for the accuracy of the contractor's measurements and shall not be held responsible for any errors or omissions. © Copyright WhitneyBell Perry Inc 2008



**THE LIVING ROOM
WINE CAFE & LOUNGE**
CHANDLER, ARIZONA



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ARCHITECTURE AND PLANNING

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15 Aug 2011

FLOOR PLAN

FLOOR PLAN