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MEMORANDUM

Transportation & Development – CC Memo No. 13-030

DATE: FEBRUARY 22, 2013

TO: MAYOR AND CITY COUNCIL

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

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER ^{DDLT}

SUBJECT: LUP12-0035 THE COURTYARD ON WALL ST.

Request: Use Permit approval to sell liquor as permitted under a Series 6 Bar License for on-premise consumption (indoors and within an outdoor courtyard)

Location: 238 S. Wall St. (North and West of the Northwest Corner of Arizona Ave. and Frye Rd.)

Applicant: Rebecca Laveneue, Laveneue LLC

Staff received a request from a Council Member to add the stipulation below in order to be able to monitor conformance with regulations and re-assess compatibility of the requested Series 6 Use Permit with the surrounding area.

7. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.



MEMORANDUM **Transportation & Development – CC Memo No. 13-029**

DATE: FEBRUARY 12, 2013

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER *PDLT*

SUBJECT: LUP12-0035 THE COURTYARD ON WALL ST.

Request: Use Permit approval to sell liquor as permitted under a Series 6 Bar License for on-premise consumption (indoors and within an outdoor courtyard)

Location: 238 S. Wall St. (North and West of the Northwest Corner of Arizona Ave. and Frye Rd.)

Applicant: Rebecca Laveneue, Laveneue LLC

RECOMMENDATION

Finding consistency with the General Plan and C-2/PAD (Community Commercial/Planned Area Development) zoning, Planning Commission and Staff recommend approval subject to conditions.

BACKGROUND

The Courtyard on Wall Street is located north of Frye Road and west of Arizona Avenue, behind the buildings currently occupied by Gangplank and Planet Sub. The site contains a handful of small buildings that are clustered around a common courtyard. Currently, there are multiple businesses located within the buildings including a nail salon and Yoli’s Café. All of the buildings are owned by the applicant, Laveneue LLC, except for the building located at the southwest corner, which is owned by Yoli’s Café.

This application requests Use Permit approval to sell liquor as permitted by a Series 6 bar license. Such approval would allow liquor to be served indoors within Building A and the future indoor dining area (see attached aerial photograph) and outdoors within the gated courtyard. Building A and the building identified as future indoor dining are currently two separate buildings that will be physically connected together in the future as shown in the black and white site plan. The Courtyard on Wall Street establishment plans on serving a variety of appetizers, gourmet snack foods, comfort food, alcoholic drinks, coffee, lattes, smoothies and other fruity beverages. Easy listening live entertainment may also be provided within the courtyard for guests to enjoy.

DISCUSSION

In the event that noise becomes an issue, the applicant has offered a neighborhood liaison, whose contact information will be made available to nearby residents and property owners, to address noise concerns quickly and directly. The buildings located on the west side of the courtyard will also help buffer courtyard music from the residential properties to the west. The courtyard is also part of Site 8, which received PAD approval in 2011 to address parking. The 2011 case found that there are approximately 743 off-street public parking spaces available on nights and weekends that can be shared by Site 8 properties including the Courtyard on Wall St. Additionally, the Police Department has been informed and responded with no concerns. For these reasons, Staff believes that the requested liquor Use Permit will not have any detrimental land use impacts to the surrounding area, and finds that the ability to serve liquor would support the unique "hidden gem" in downtown Chandler.

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 January 7, 2013. One resident attended the meeting. The resident who lives at 210 S. Arizona Ave, directly east of subject site was concerned about potential noise, at which time he was offered contact information for the neighborhood liaison. The resident was satisfied with the response.
- The Police Department has been informed of the application and responded with no concerns.
- At the time of the memo, Planning Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 6 Opposed: 0 Absent: 1 (Veitch)

Planning Commission added conditions 5 & 6, which the applicant had previously offered and agreed to comply with.

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of Liquor Use Permit LUP12-0035 THE COURTYARD ON WALL ST., subject to the following conditions:

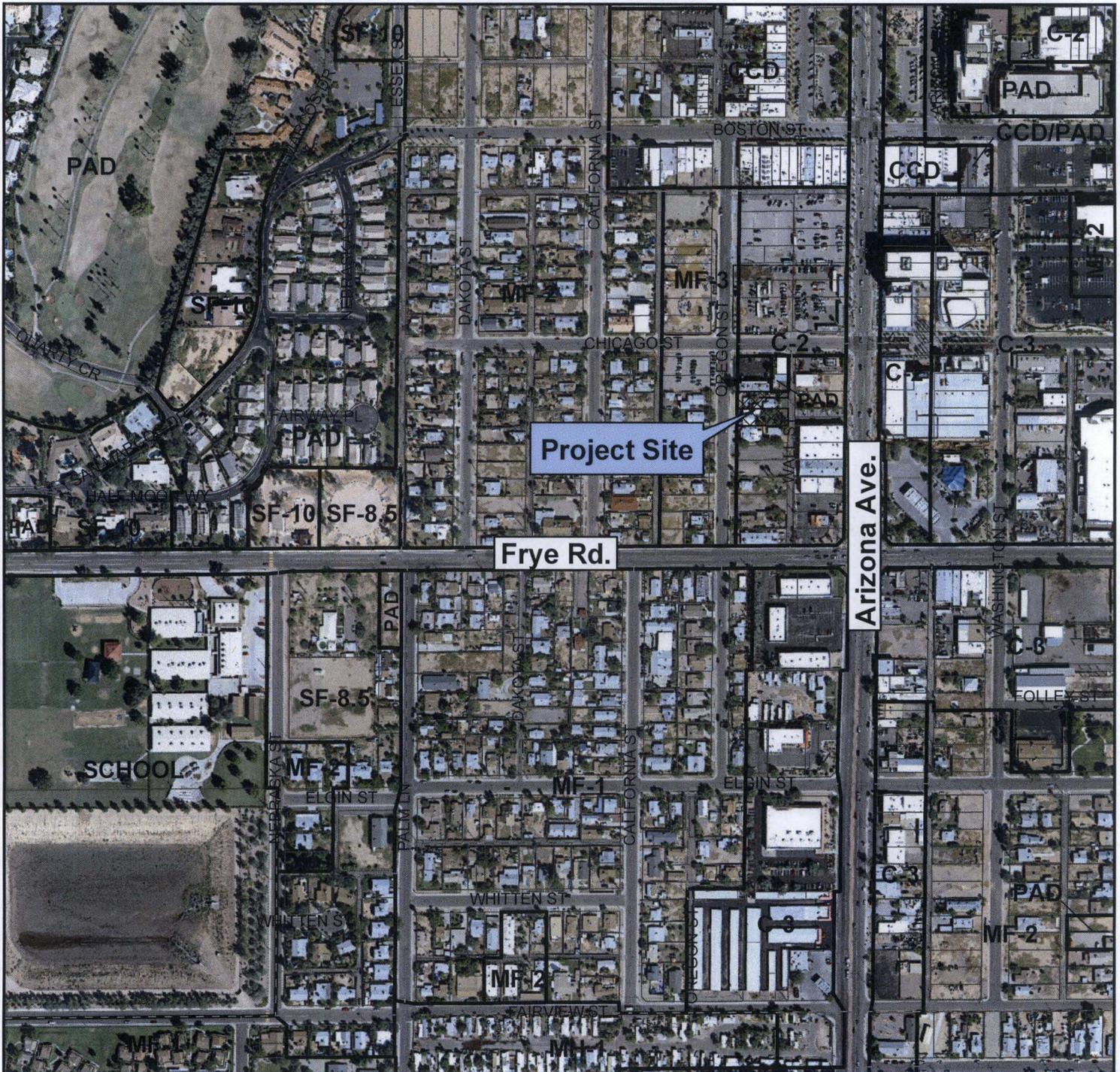
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 6 (Bar License) only, and a change to any other liquor licenses shall require re-application and new liquor Use Permit approval.
3. The liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.
6. The applicant shall provide contact information for a neighborhood liaison (responsible person such as the owner and/or manager) to interested neighbors that will allow music complaints to be resolved quickly and directly.

PROPOSED MOTION

Move to approve Liquor Use Permit case LUP12-0035 THE COURTYARD ON WALL ST, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Aerial Photograph
4. Site Plan



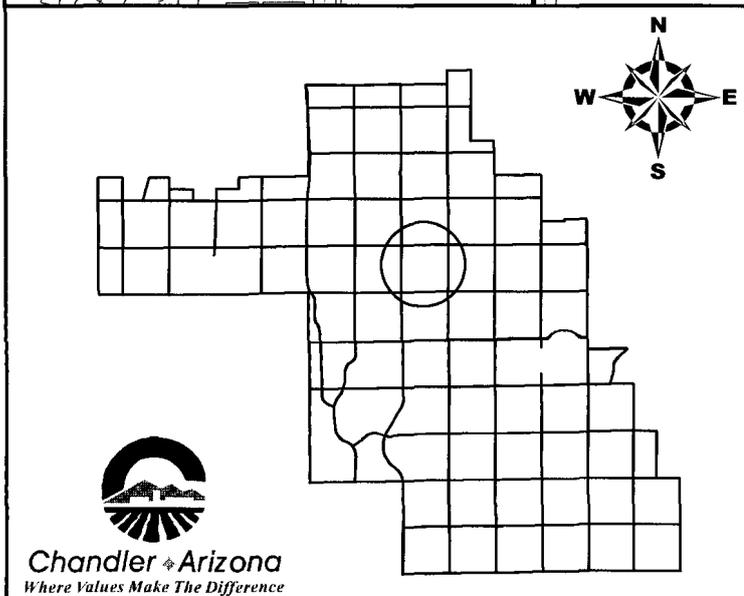
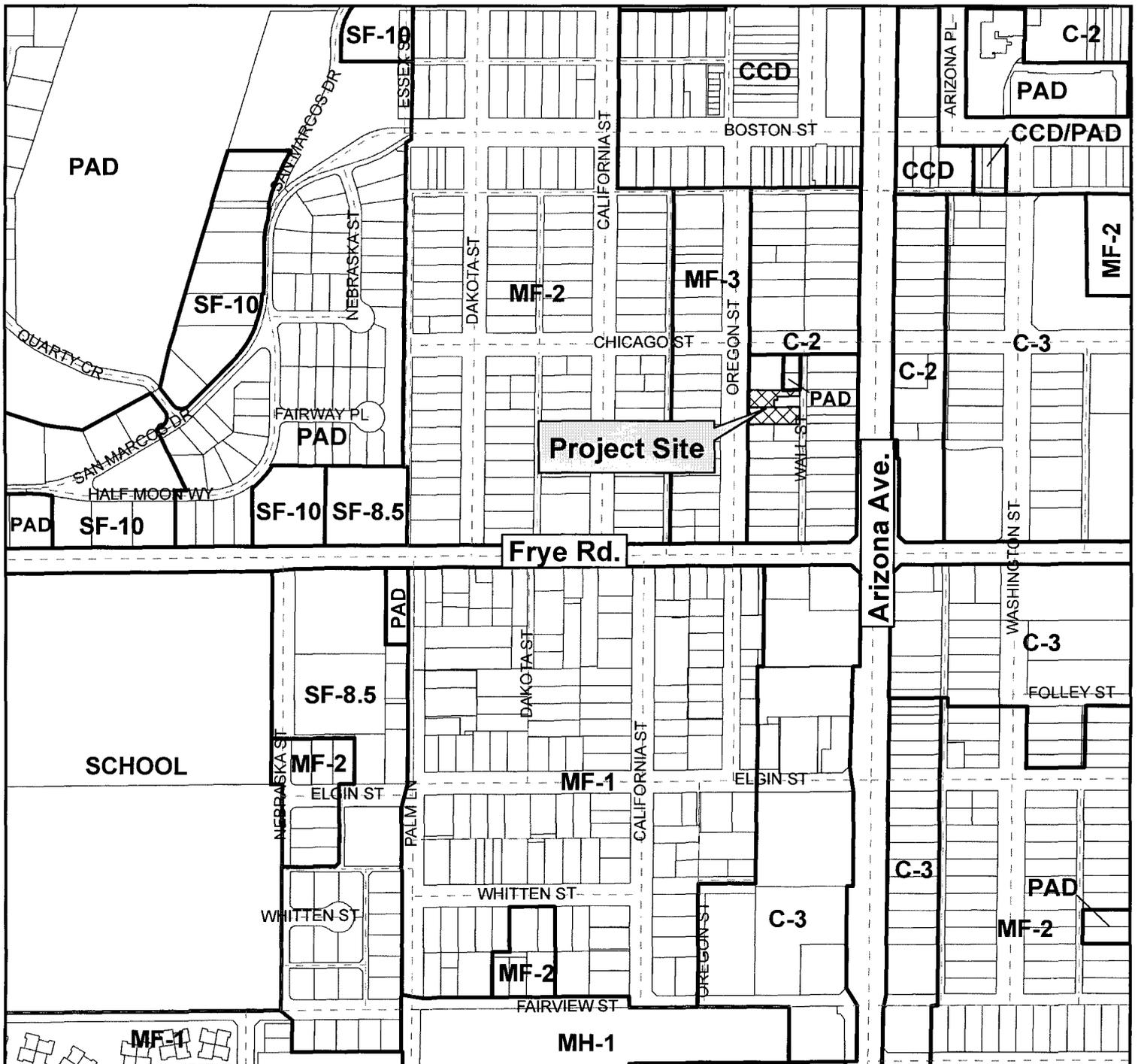
Vicinity Map



LUP12-0035

**The Courtyard on Wall St.
Liquor Use Permit**





Vicinity Map

LUP12-0035

**The Courtyard on Wall St.
Liquor Use Permit**

CITY OF CHANDLER 11/21/2012

City of Chandler,

The Courtyard L.L.C., DBA The Courtyard on Wall St. would like to request a use permit for a series 6 (Bar) liquor license for our location at 238 Wall St. Chandler, AZ. 85225. The proposed location is completely enclosed and is approximately 21,300 sq ft. The lot numbers associated with this use permit request are 303-09-090A & 303-09-093 and these two lots will be used in their entirety (both indoors and outdoors), however lots 303-09-095A & 303-09-095B will only be partially used for outdoor dining and mingling, no indoor uses within this use permit request.

Presently there are multiple businesses surrounding the proposed location (Sandwich Shop, Retail Shop, Hair Salon, etc...) which all have access to a gorgeous common courtyard and this common courtyard is currently very underutilized at this time. It is our desire to integrate the sale of alcohol and some easy listening live entertainment into this beautiful courtyard in order to not only compliment the other services that are offered in the area but also create another unique reason to choose downtown Chandler for entertainment, recreation and dining. We will be offering gourmet snack foods, premium alcoholic drinks, coffee, lattes and even smoothies and other fruity beverages for the kids in a very relaxing, quaint and seemingly secluded outdoor environment for the entire family to enjoy.

Our projected hours of operations will be 7 days a week 11:00 am until 11:00 pm.

The majority of the proposed licensed premise will be outdoors which will be compliant with Smoke Free Arizona, however we plan to designate an separate smoking patio area along the side of the building creating a distance between the primary area of the courtyard which will be used for dining, relaxing and entertainment.

The total number of seats, including all indoor and outdoor seating is estimated at 108.

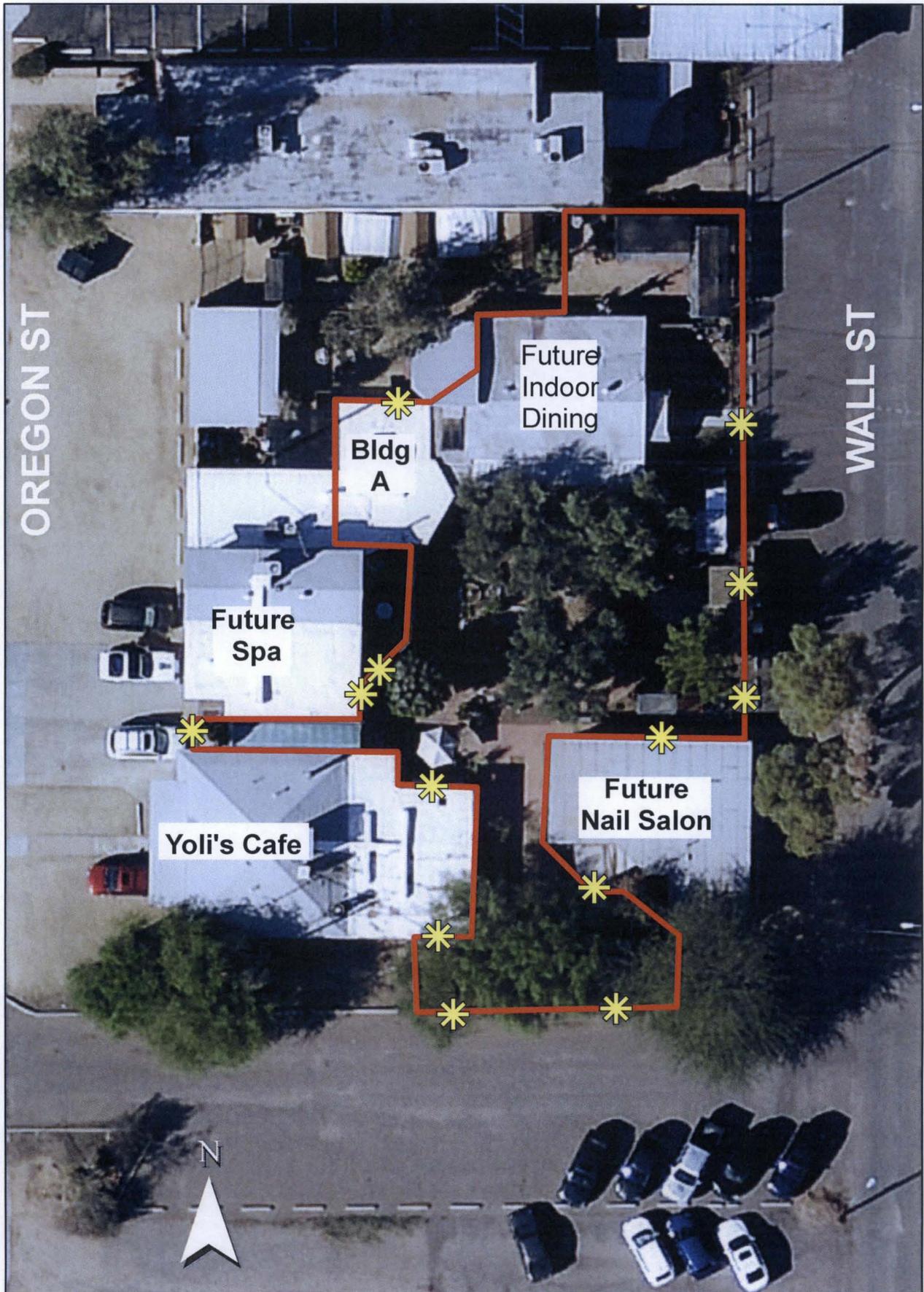
Proper signage (No Alcohol Beyond This Point) will be posted at every gate or entrance/exit as to better inform the public where the premise begins and ends.

Thank you for your time and consideration on this matter,

A handwritten signature in black ink that reads "Rebecca Lavenue". The signature is written in a cursive, flowing style.

Rebecca Lavenue
Lavenue L.L.C.

AERIAL PHOTOGRAPH



LUP12-0035 THE COURTYARD ON WALL ST

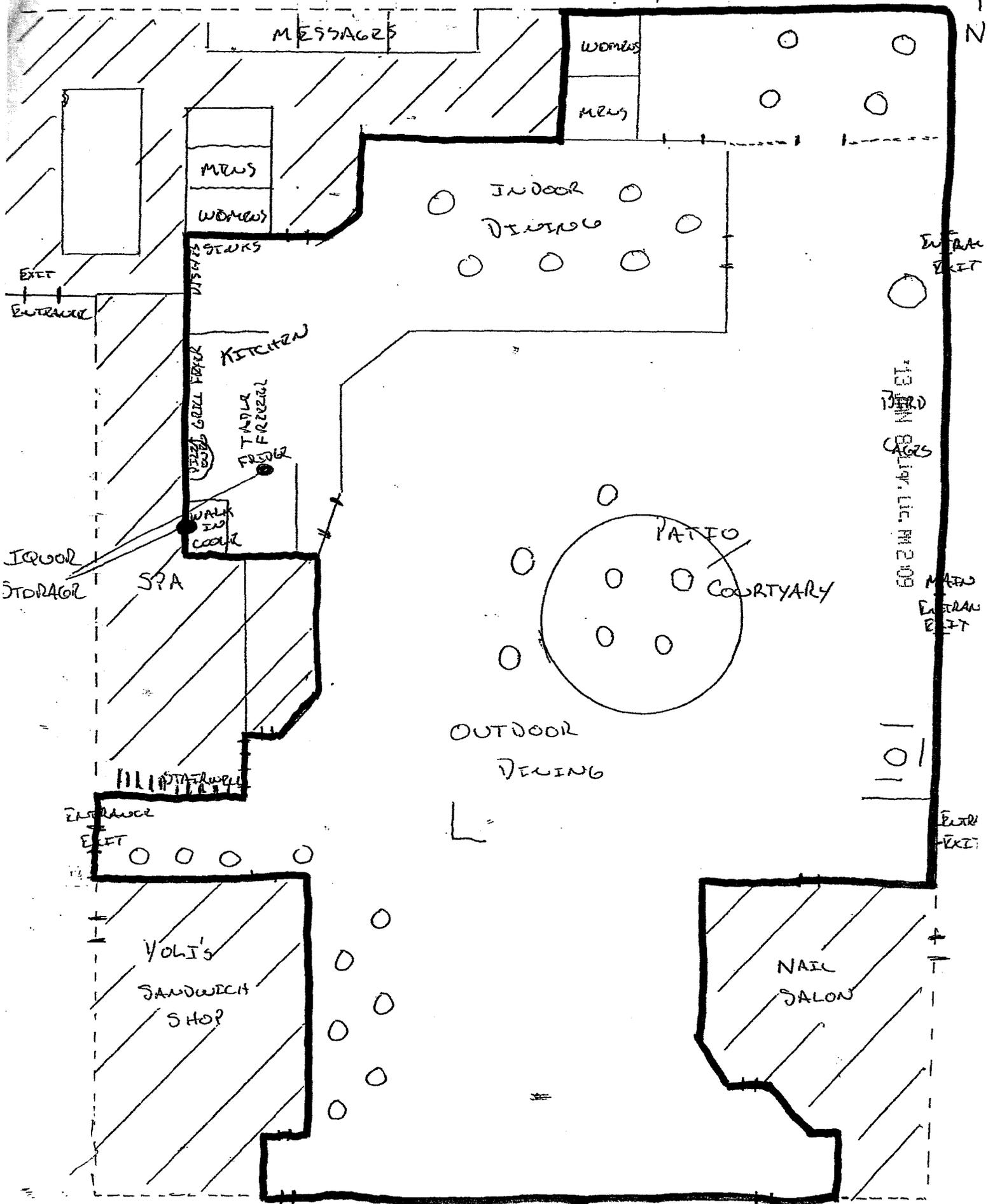
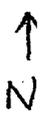


Liquor Serving Premises



Entrance/Exit

21,300 SQ FT



ENTRANCE EXIT

ENTRANCE/EXIT

 = NOT PART OF PREMISES