#84
SEP 11 2014

Chandler · Arizona
Where Values Make The Difference

Chandler
All-America City
2010

MEMORANDUM **Planning Division – CC Memo No. 14-092**

DATE: SEPTEMBER 11, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER MR
JEFF KURTZ, PLANNING ADMINISTRATOR JK
KEVIN MAYO, PLANNING MANAGER KM

FROM: SUSAN FIALA, CITY PLANNER SF

SUBJECT: LUP14-0010 THE PERCH

Request: Liquor Use Permit approval to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License in an existing restaurant, outdoor courtyard and patios, and continue live entertainment indoors and outdoors. The request also includes expanding the area for operation of the Series 3 Domestic Microbrewery License to include additional storage.

Location: 232 South Wall Street, north and west of the northwest corner of Arizona Avenue and Frye Road

Applicant: Jared Repinski, AATF Agent

RECOMMENDATION

Planning Commission and Planning Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The Perch is an existing restaurant and bar with outdoor courtyards, patios, and a roof-top area located at 232 South Wall Street. The previous Liquor Use Permit was approved in September 2013. A new Liquor Use Permit is prompted due to the proposed expansion to the approved site and floor plans, expiration of the one-year time limit, and a desire to expand the live entertainment hours.

The request is to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License to include the salon and add outdoor patio areas. The request also includes expanding the area for operation of the Series 3 Domestic Microbrewery License to include

additional storage. The premise area extension adds approximately 5,600 square feet (sq. ft.) to the existing 24,600 sq. ft. for a total premise area of 30,200 sq. ft. The applicant also requests extending the hours of live entertainment from 10 p.m. until 11 p.m. on Fridays and Saturdays. The additional hour allows patrons to further enjoy the live entertainment in both indoor and outdoor areas. Live entertainment occurring on Sunday through Thursday would end at 10 p.m.

A Series 6 Bar License allows a bar retailer to sell and serve spirituous liquors to be consumed on the premises and in the original container for consumption on or off the premises. Under a Series 6 Bar License, the establishment does not have a requirement for percentage of food versus alcohol sales. A Series 3 Domestic Microbrewery License allows beer to be produced or manufactured on premises for consumption on or off the premises, and sales and deliveries of beer to persons licensed to sell beer.

DISCUSSION

Planning Staff supports the request, finding that the restaurant and bar with live entertainment is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. The request to extend live entertainment for one additional hour on Friday and Saturday nights further sustains the business and allows patrons to enjoy live music and entertainment for an extended period of time. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation. The applicant is concurrently processing a rezoning application that seeks to reconcile existing site constraints and building setbacks.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 14, 2014. No one other than the applicant attended.
- As of this writing, Planning Staff has not received any phone calls or letters in opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:
In Favor: 6 Opposed: 0 Absent: 1 (Ryan)

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of LUP14-0010 THE PERCH, subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 6 license and a Series 3 license, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.

4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.

5. No noise shall be emitted from the live music and entertainment occurring outdoors that 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.

6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.

7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

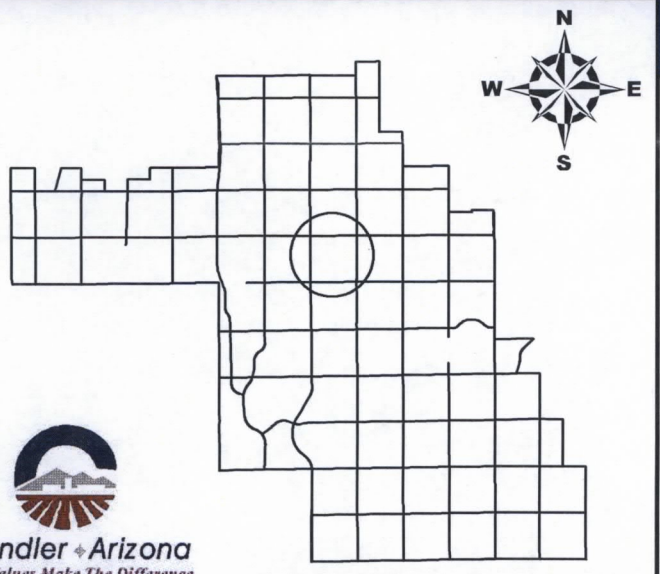
8. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve Liquor Use Permit, LUP14-0010 THE PERCH, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site and Floor Plans
3. Narrative



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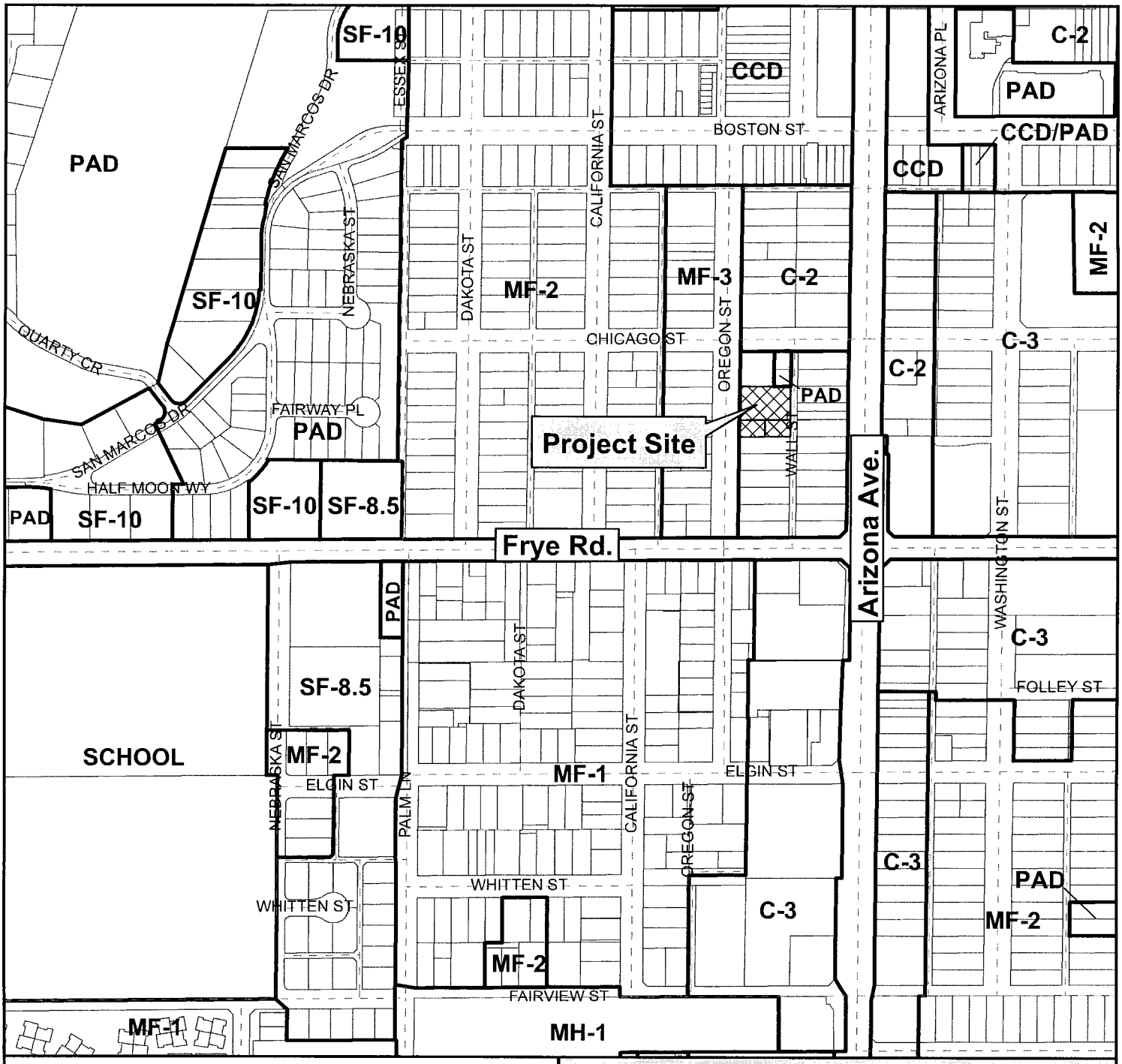
Vicinity Map

LUP14-0010

The Perch
Liquor Use Permit

CITY OF CHANDLER 7/30/2014



Vicinity Map

LUP14-0010

The Perch
Liquor Use Permit

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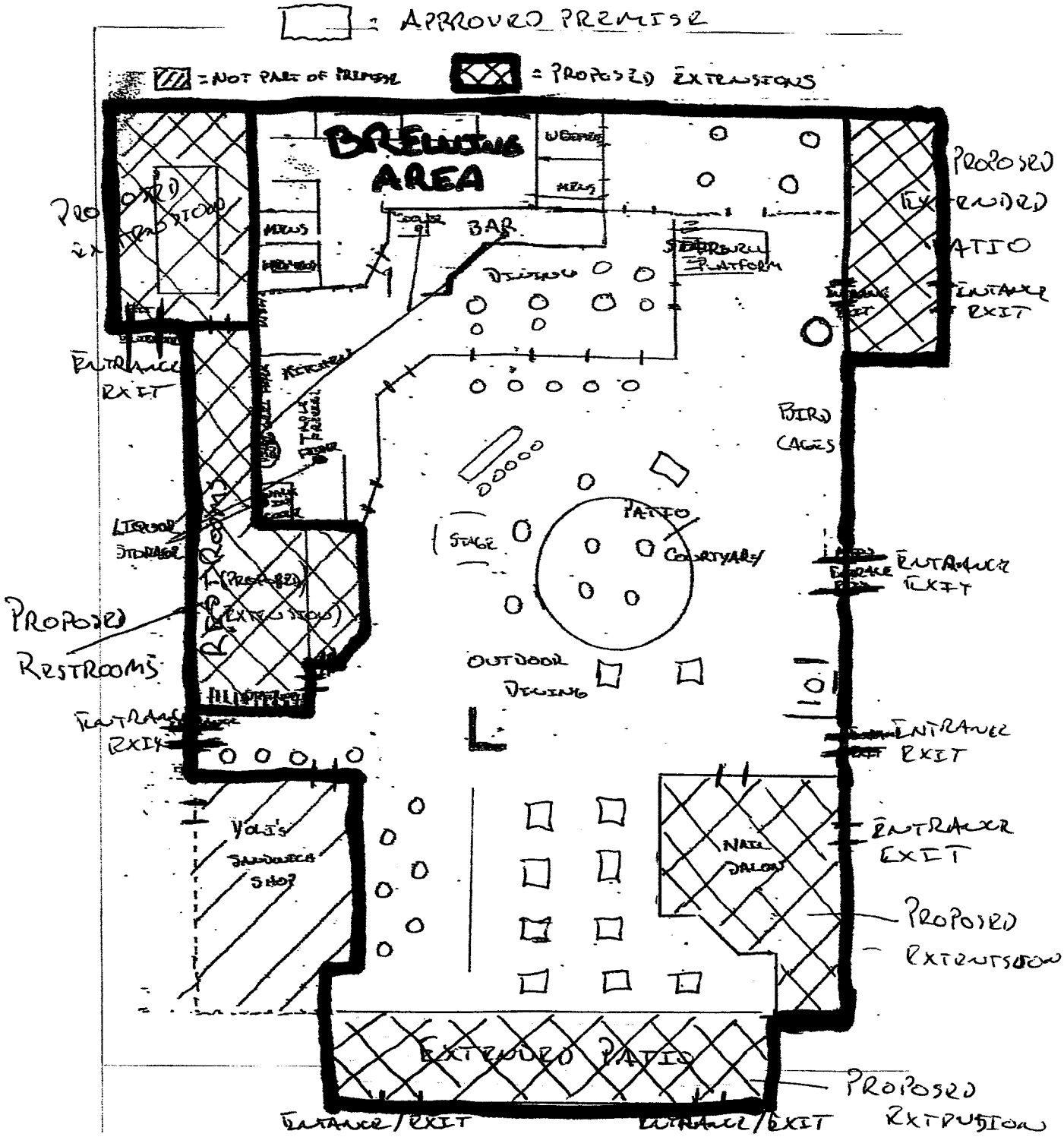
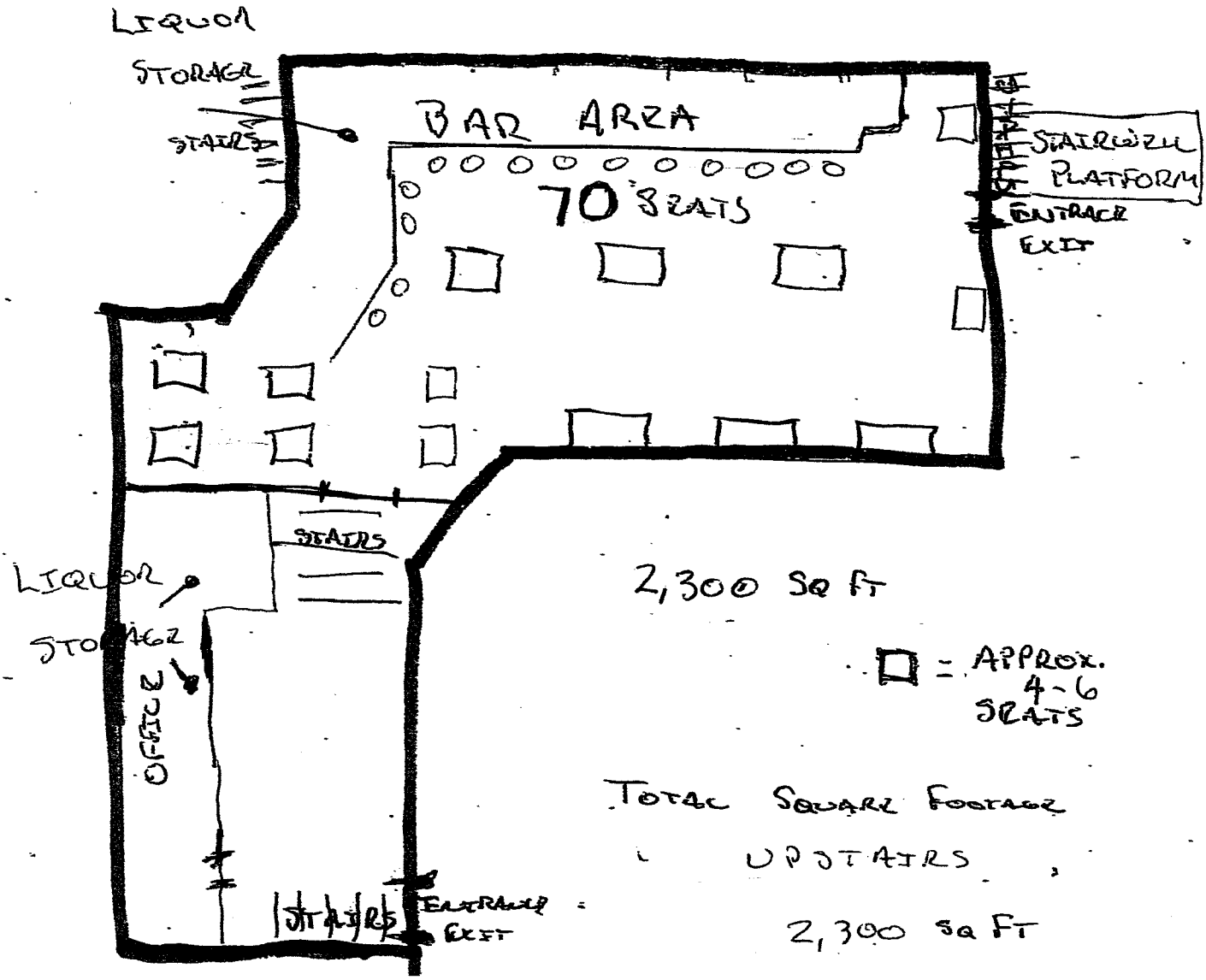
CITY OF CHANDLER 7/30/2014



30,200 SQ FT
(TOTAL)
INCLUDING UPSTAIRS

UPSTAIRS

SECOND FLOOR / ROOFTOP DINING / SEATING



2,300 SQ FT

□ = APPROX. 4-6 SEATS

TOTAL SQUARE FOOTAGE

UPSTAIRS

2,300 SQ FT

The Perch
Project Narrative

City of Chandler,

The Perch L.L.C., would like to request to expand the floor plan and the site area for our approved Series 6 (Bar) and Series 3 (Microbrewery) liquor license located at 232 S. Wall St. Chandler, AZ. 85225. The proposed expansion would include the Salon as part of the premise allowing for a Salon customer to enjoy a glass of wine or cocktail, create more patio dining area, add more storage for the Microbrewery and allow for the installation of new restroom facilities. In sum, this Extension of Premise / Liquor Use Permit request would add/extend/expand the existing premise approximately 5,600 sq. ft. - if approved the premise would total approximately 30,200 sq ft.

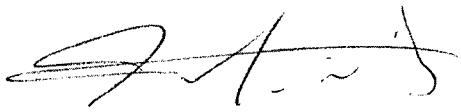
The Perch is one of a few businesses which have access to a gorgeous common courtyard. Currently, we have integrated the sale of gourmet food, premium alcoholic drinks and craft beer as well as easy listening, electrically amplified and acoustic, live entertainment into this beautiful courtyard and roof top area. Due to frequent requests and no incidents we would like to extend the live entertainment hours to 11:00 pm. on Friday and Saturday and maintain the live entertainment hours until 10:00 pm. Sunday thru Thursday. A neighborhood liaison has been designated and the liaison's name and contact information has been made available to neighbors for them to contact with any concerns including any disruptive noise or loud music from The Perch. All of these services have created another unique reason to choose Downtown Chandler for entertainment, recreation and dining.

In addition to the gourmet foods, premium alcoholic drinks and craft beer, we have an enviable wine list, exceptional coffees, lattes and cappuccino and even smoothies and other fruity beverages for the kids, all set in a very relaxing, quaint and seemly secluded outdoor environment that the entire family can enjoy.

The majority of the seating is outdoors, however there is indoor Bar/Dining area with approximately 42 to 50 seats and 7 televisions. The total number of seats, including all indoor and outdoor seating as well as the roof top is estimated at 186 total seats.

We utilize approximately 65-70 employees varying between full and part time and our hours of operations are 9:00 am. to 1:00 am. Sunday thru Thursday and 9:00 am. to 2:00 am. on Fridays and Saturdays. Proper signage (No Alcohol Beyond This Point) has been posted at every gate entrance/exit as to better inform the public where the premise begins and ends.

Thank you for your time and consideration on this matter,



Jared Repinski
Agent for The Perch L.L.C.