

MEMORANDUM **Planning Division – CC Memo No. 15-109**

DATE: SEPTEMBER 24, 2015
TO: MAYOR AND COUNCIL
THRU: MARSHA REED, ACTING CITY MANAGER
 JEFF KURTZ, PLANNING ADMINISTRATOR
 KEVIN MAYO, PLANNING MANAGER
FROM: SUSAN FIALA, CITY PLANNER
SUBJECT: LUP14-0021 THE PERCH

Request: Liquor Use Permit approval to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, operate the microbrewery under a Series 3 Domestic Microbrewery License, and have live entertainment indoors and outdoors for the expansion of the premise area to include a new roof-top area, the Hair Salon, and Covo

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

Applicant: Jared Repinski, AATF Agent

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The Perch is an existing restaurant and bar with outdoor courtyards, patios, and roof-top areas, located at 232 South Wall Street. The previous Liquor Use Permit was approved by Council on September 11, 2014. A new Liquor Use Permit is prompted due to the proposed expansion of the premise area.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, operate the microbrewery under a Series 3 Domestic Microbrewery License, and have live entertainment indoors and outdoors for the expansion of the premise area to include a new roof-top area, the Hair Salon, and Covo.

The premise area expansion adds approximately 6,530 sq. ft. to the existing 30,200 sq. ft. for a total premise area of 36,730 sq. ft. The northeast expansion includes the rebuilding of the former 'Covo' building. The Hair Salon is an existing building and the new roof-top area was recently constructed above a storage building. Live entertainment concludes at 10 p.m. on Sunday through Thursday and 11 p.m. on Friday and Saturday. A time condition was not placed on the previous Liquor Use Permit and Planning Staff does not recommend a time condition on the current request.

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.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 6, 2015. No one other than the general manager of The Perch and the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

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

One speaker, representing the owner of Yoli's Café, commented on several items which are not related to the Liquor Use Permit and include Perch's business sign facing Oregon Street, pedestrian access through Perch site to their business, and fencing constructed on a common property line. The speaker indicated that loud music came from The Perch and disturbed his patrons. Planning Staff or the Police were not contacted concerning the loud music/noise issue. The time of day and days of the week when loud music occurred cannot be verified since there is no record or correspondence of the incident(s).

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 6 Bar License and a Series 3 Domestic Microbrewery License, and any change of license shall require reapplication and new Liquor 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

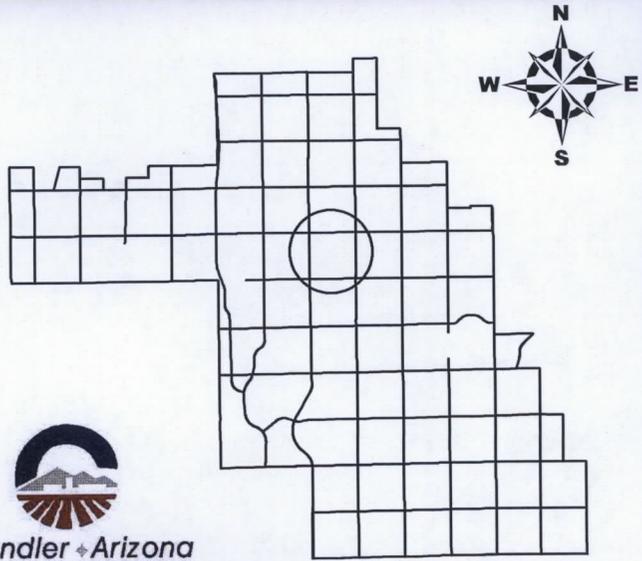
Move City Council approve Liquor Use Permit case LUP14-0021 THE PERCH, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Premise Area (Perch, Hair Salon, Covo)
3. Narrative



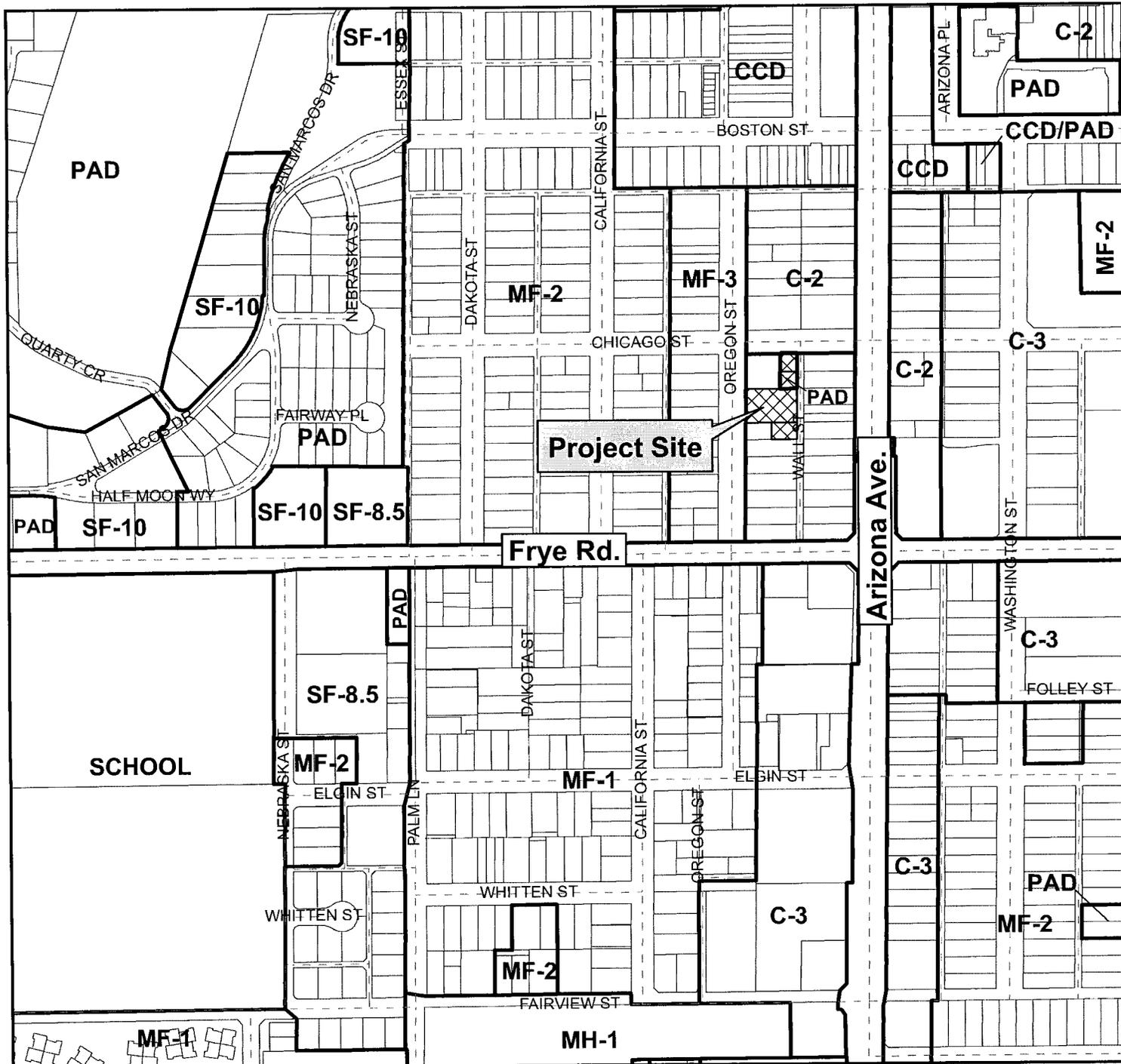
Vicinity Map



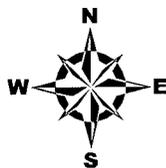
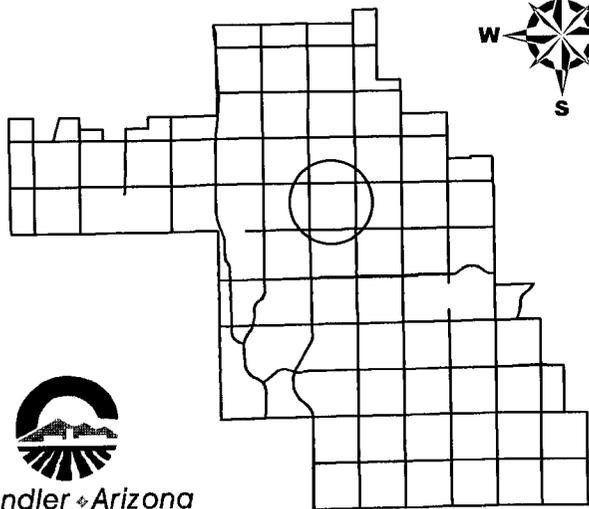
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**The Perch
Liquor Use Permit**





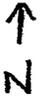
Vicinity Map



LUP14-0021

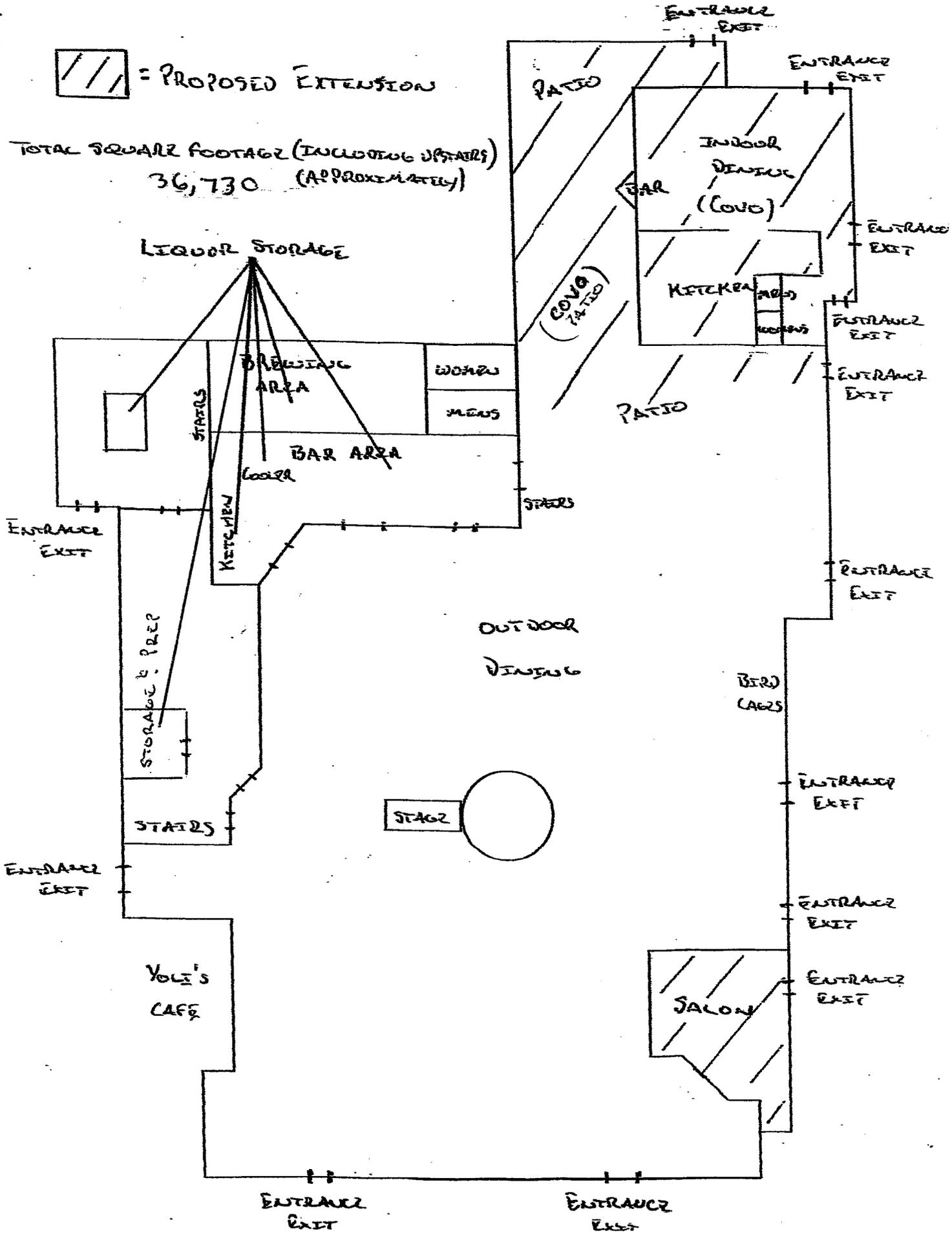
**The Perch
Liquor Use Permit**





 = PROPOSED EXTENSION

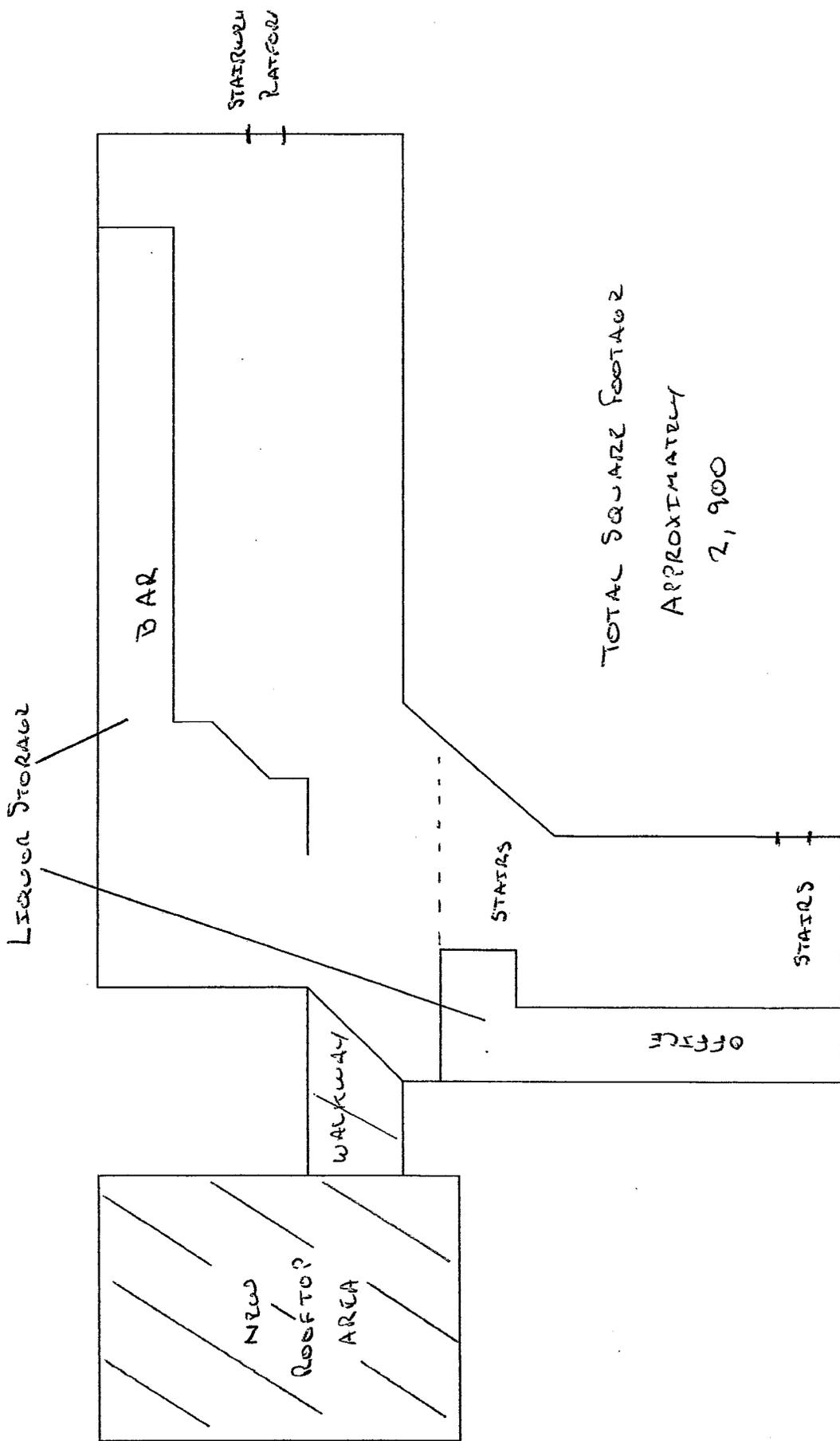
TOTAL SQUARE FOOTAGE (INCLUDING UPSTAIRS)
36,730 (APPROXIMATELY)



← N



= PROPOSED EXTENSIONS



TOTAL SQUARE FOOTAGE
APPROXIMATELY
2,900

↑
N

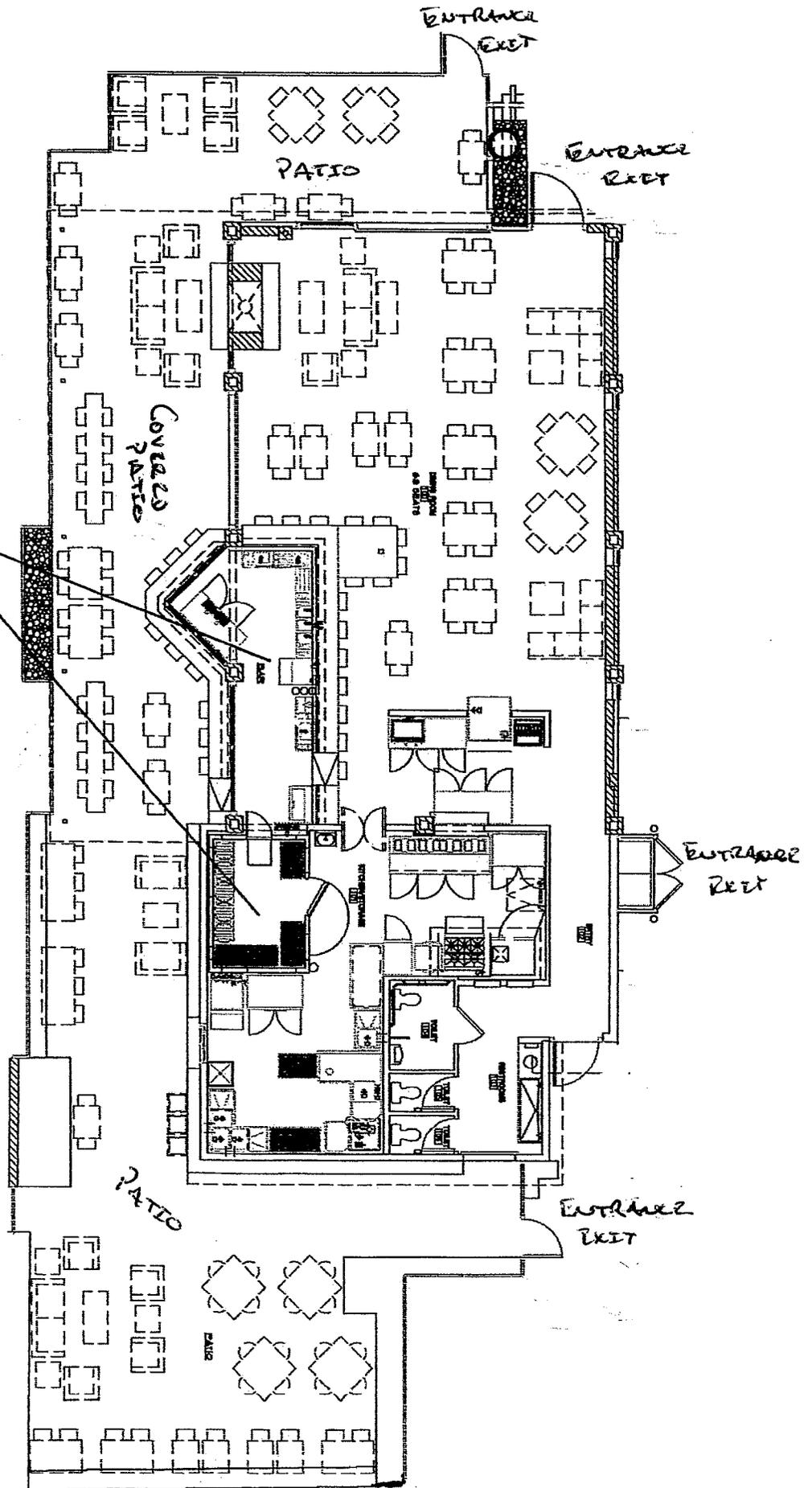
COVID
(DETAILED)
VERSION

LIQUOR
STORAGE

EQUIPMENT/SEATING FLOOR PLAN



5,455 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, create more indoor dining area, add more storage, allow for additional restroom facilities and add an additional roof top area for public and private special function uses. In sum, this Extension of Premise / Conditional Liquor Use Permit modification request would add/extend/expand the existing premise approximately 5,455 sq. ft. to the northeast (Covo), add approximately 450 sq. ft. to the southeast (Hair Salon) and add an additional 625 sq. ft. roof-top area - if approved the entire premise would total approximately 36,730 sq ft.

For over a year The Perch has enjoyed great praise and patronage due to our access to a gorgeous courtyard, gourmet food, premium alcoholic drinks and craft beer as well as easy listening, electrically amplified and acoustic, live entertainment and our now famous roof top. The currently approved live entertainment hours are until 11:00 pm. on Friday and Saturday and until 10:00 pm. Sunday thru Thursday, we would request that these hours remain. 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.

Additionally, The Perch has 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 seemingly secluded outdoor environment that the entire family can enjoy.

The majority of the seating is outdoors, however there is an indoor Bar/Dining area with approximately 42 to 50 seats and 7 televisions. With the proposed extension (which will include an additional building and patio to the northeast known as Covo) as well as a new roof-top area - this will be adding approximately 100 more dining seats and 24 additional bar seats. The total number of seats, including all indoor and outdoor seating as well as the roof top is estimated at 320 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.

Thank you for your time and consideration on this matter,



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