



**Chandler · Arizona**  
*Where Values Make The Difference*

#38  
JUN 23 2016  
Chandler  
All-America City  
2010

**MEMORANDUM**                      **Planning Division – CC Memo No. 16-059**

**DATE:**            JUNE 23, 2016  
**TO:**                MAYOR AND COUNCIL  
**THRU:**            MARSHA REED, CITY MANAGER *MR*  
                          JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
                          KEVIN MAYO, PLANNING MANAGER *KM*  
**FROM:**            SUSAN FIALA, CITY PLANNER *SF*  
**SUBJECT:**        LUP16-0008 THE CASUAL PINT

**Request:**            Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within a new outdoor patio and to sell liquor “to-go” in original, unopened containers as permitted under a Series 7 Beer and Wine Bar License, including indoor live music.

**Location:**            1095 West Queen Creek Road, Suite 8, west of the southwest corner of Alma School and Queen Creek roads

**Applicant:**            Theresa J. Morse, Avant Garde Alcohol Training and Education

**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 property is located at 1095 West Queen Creek Road, Suite 8, west of the southwest corner of Alma School and Queen Creek roads, within The Falls at Ocotillo shopping center. The suite formerly was a Christian bookstore. Kinderbugs and Keegan’s Grill are adjacent tenants. The nearest single-family residential subdivision is Stillwater Cove, located to the south.

The request is for Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within a new outdoor patio and to sell liquor “to-go” in original, unopened containers as permitted under a Series 7 Beer and Wine Bar License, including indoor live music.

This location is the first Casual Pint franchise located west of the Mississippi River. A craft beer market is a key element of the business's operation. The suite is approximately 2,182 square feet and the new outdoor patio contains approximately 720 square feet. Indoor seating provides approximately 42 seats and 10 bar stools. A pedestrian walkway is proposed to access Jacaranda Parkway from the patio. Indoor live music, such as an acoustical guitar and/or a vocalist, may be scheduled up to four times a month. Business hours are 11 a.m. to 10 p.m. on Monday through Thursday, 11 a.m. until midnight on Friday and Saturday, and 1 p.m. to 8 p.m. on Sunday.

Planning Staff contacted the Police Department to check if there were any noise disturbance service calls for existing businesses located in the Falls at Ocotillo and within Ocotillo Plaza, who currently provide live entertainment and/or music, and have outdoor patios. No complaints have been filed with the Police Department in the past two years.

Planning Staff is including conditions to address any potential noise from the indoor live music due to the proximity of the suite to the single-family subdivision. Planning Staff also recommends a one-year time limit to allow evaluation of the compatibility of the indoor live music with the surrounding residential and business developments.

Subsequent to Planning Commission, Planning Staff is recommending an additional stipulation listed as Condition No. 9 regarding a contact phone number be available to resolve noise complaints quickly and directly.

#### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 9, 2016. Several residents attended. One resident is concerned about the location near the single family homes, noise coming from the indoor live music, and proximity to a pre-school. The other residents voiced their support.
- Planning Staff is aware of opposition to the request as noted in the following section.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 6    Opposed: 0

The item was moved from the consent agenda to action for Planning Commission discussion. Planning Commissioners commented about parking in the center which is shared among the tenants of the center.

Two speakers stated their opposition to the request. The same resident of Stillwater Cover who attended the neighborhood meeting spoke and provided the attached document. The owner of Kinderbugs attended and stated their opposition and concerns. The resident's concerns are as follows: opposed to the location due to its proximity to the neighborhood and noise from the live music indoors would be heard outside. The business owner leases the adjacent suite to the proposed Casual Pint. The concerns included: the pre-school has a common wall with the proposed tenant and noise will affect their classrooms; parents use parking spaces to drop off

their children and there is limited parking; and they are licensed to have kindergarten, but do not have any kindergarten classes at the present time but could in the future.

Under the State's Liquor License regulations, the Assistant City Attorney responded that kindergarten classes must be ongoing at the time the liquor license request was made to the State. The Applicant also noted that the property management company does not permit a kindergarten within this development. The Casual Pint owner addressed the concerns stating: a cooler will be located along the common wall and acoustical tiles will be installed; the business is a craft beer market with limited dining and live music, not a typical bar atmosphere; and the anticipated opening is mid-August.

### **RECOMMENDED ACTION**

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0008 THE CASUAL PINT, subject to the following conditions:

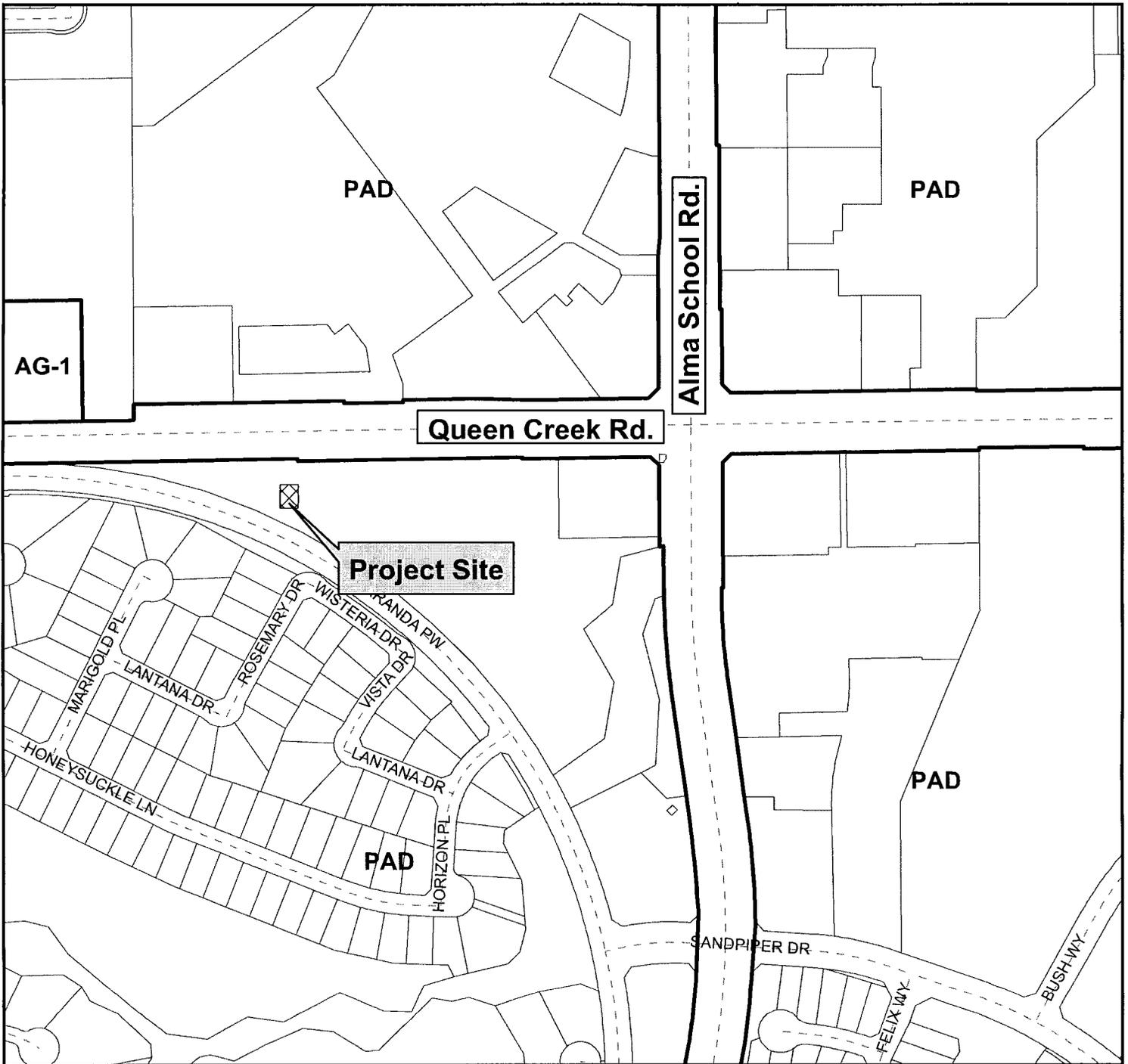
1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
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. Music 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.
7. Music shall occur indoors only.
8. Liquor 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 Liquor Use Permit shall apply.
9. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.
10. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

**PROPOSED MOTION**

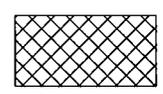
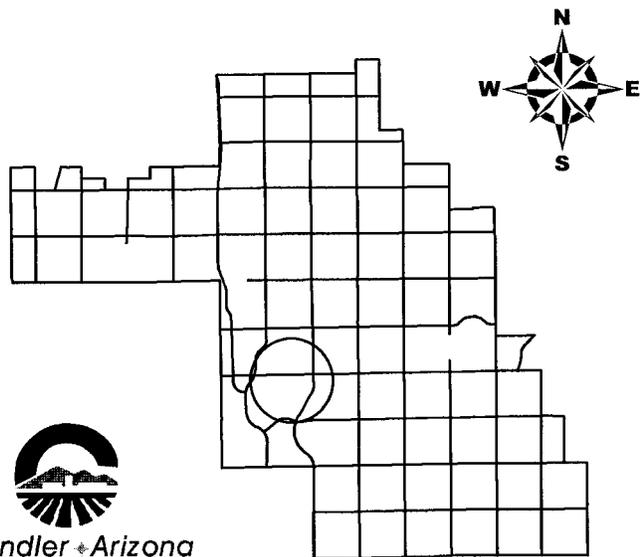
Move City Council approve Liquor Use Permit case LUP16-0008 THE CASUAL PINT, subject to the conditions as recommended by Planning Commission and Planning Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Patio Plan
5. Patio Elevations
6. Narrative
7. Applicant photographs
8. Property owner correspondence



## Vicinity Map



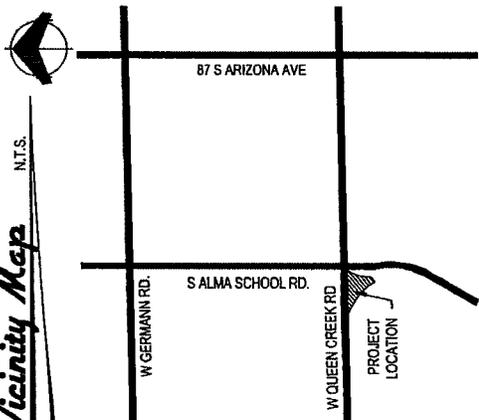
LUP16-0008

**The Casual Pint  
Liquor Use Permit**



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**Vicinity Map**



N.T.S.

**Project Data**

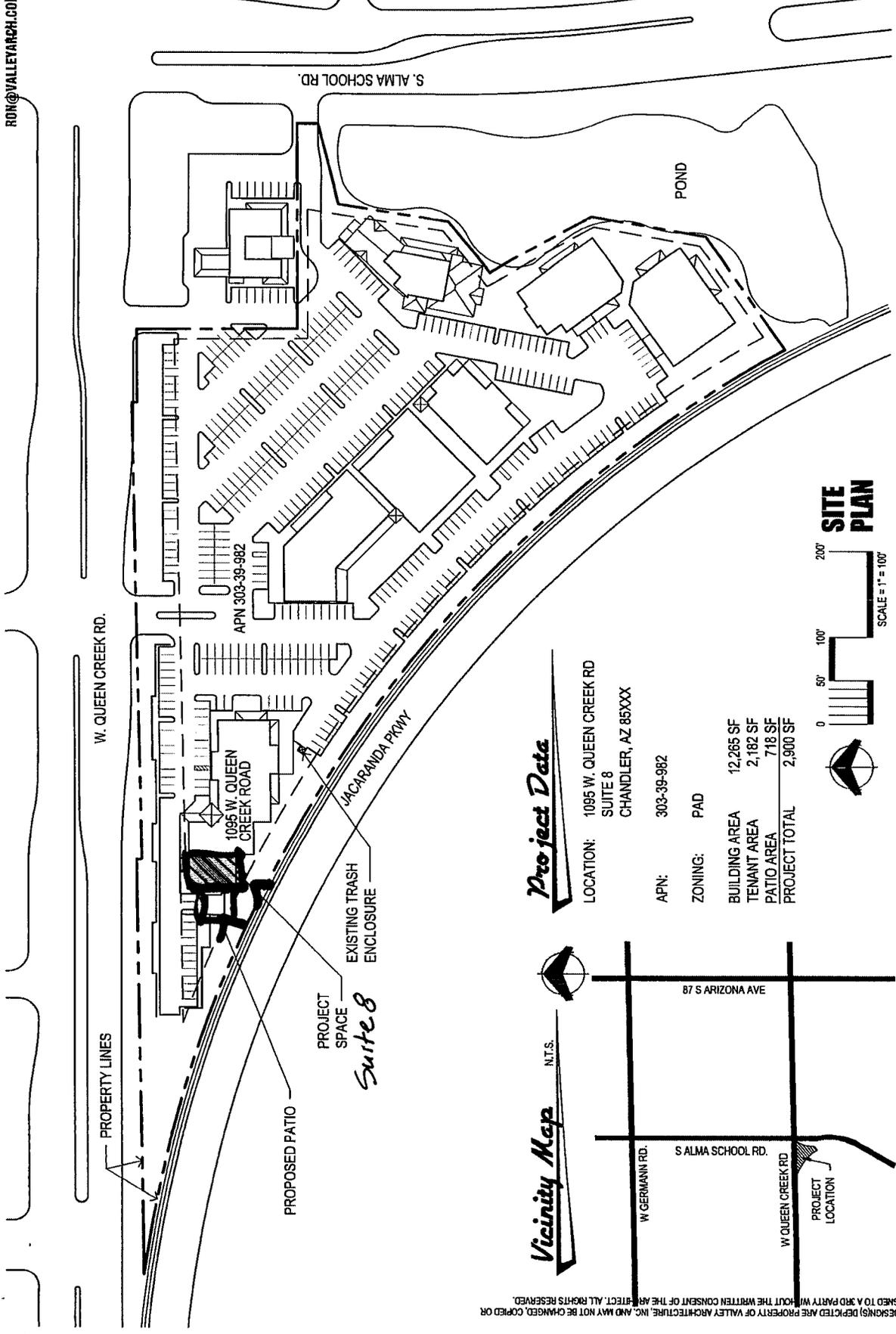
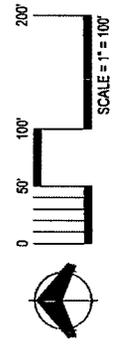
LOCATION: 1095 W. QUEEN CREEK RD  
SUITE 8  
CHANDLER, AZ 85000

APN: 303-39-982

ZONING: PAD

BUILDING AREA	12,265 SF
TENANT AREA	2,182 SF
PATIO AREA	718 SF
PROJECT TOTAL	2,900 SF

**SITE PLAN**



PRELIMINARY - NOT FOR CONSTRUCTION

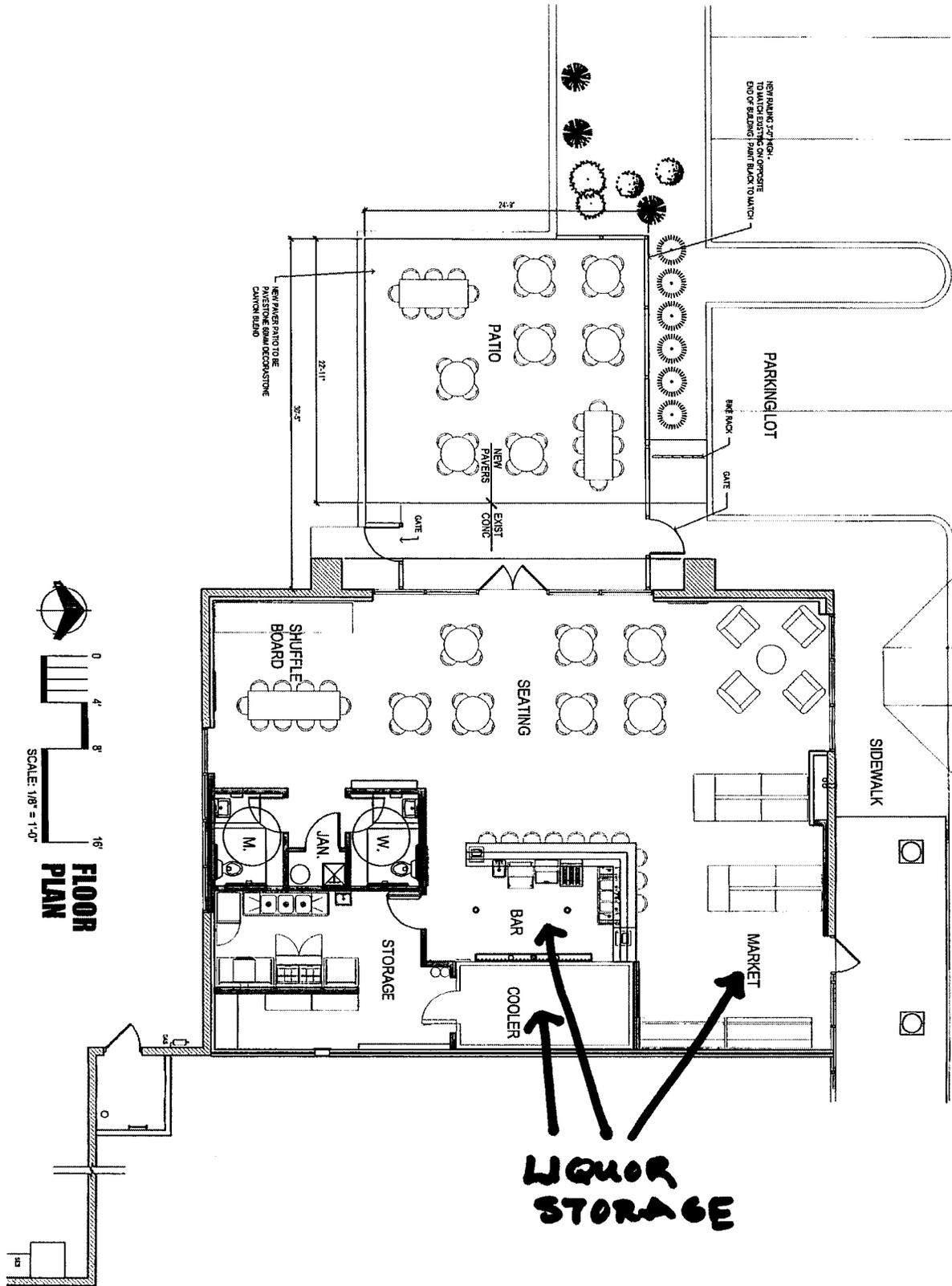
DATE: 3.9.16

RON@VALLEYARCH.COM 602.334.9766  
VALLEY ARCHITECTURE INC.

BUILDING PLAN  
THE CASUAL PINT  
1095 W. QUEEN CREEK, SUITE 8  
PROJ. # VL1535

OCT. 0

2/17



**FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

**OC2.0**  
**FLOOR PLAN**  
**THE CASUAL PINT**  
 1095 W. QUEEN CREEK, SUITE 8  
 PROJ. #: VL1535

DATE: 3.9.16

VALLEYARCHITECTUREINC

RON@VALLEYARCH.COM 502.334.9766

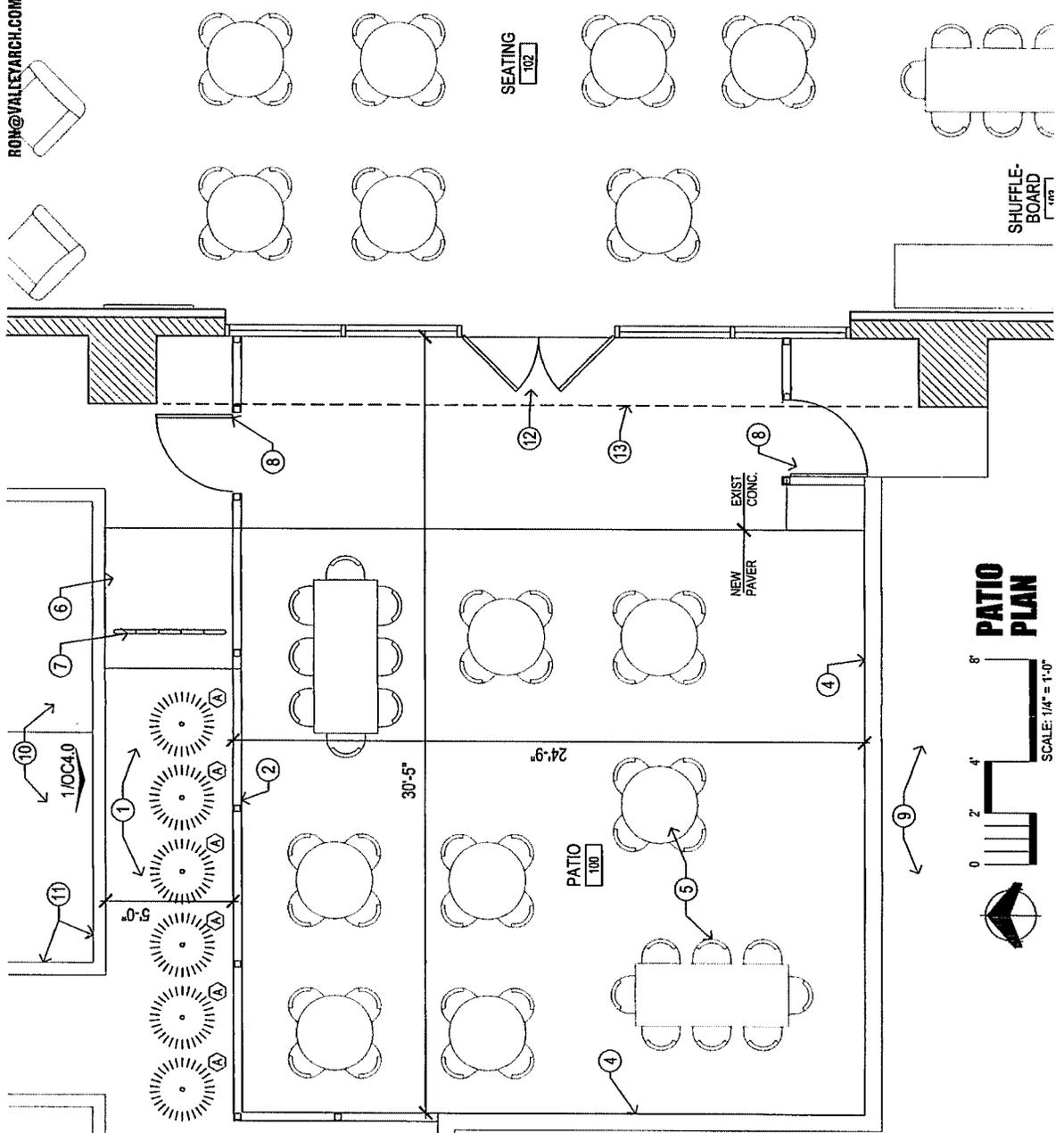
# OC2.1

THE CASUAL PINT  
1095 W. QUEEN CREEK, SUITE 8  
PROJ. # VL1635

VALLEY ARCHITECTURE INC.

DATE: 9.9.16

PRELIMINARY - NOT FOR CONSTRUCTION



FROM VALLEYARCH.COM 602.334.9766

## Keynotes

1. NEW LANDSCAPING TO MATCH EXISTING PLANT PALETTE ELEVATIONS SHEET OC-1.0 NOT USED
2. NEW 36" H STEEL RAILING TO MATCH EXISTING - SEE ELEVATIONS SHEET OC-1.0
3. EXISTING 48" H. MASONRY TULLOCCO SITE WALL
4. NEW PATIO FURNITURE BY TENANT
5. NEW 4" CONC SLAB AT BIKE RACKS
6. NEW STEEL BIKE RACK TO MATCH EXISTING - GALVANIZED FINISH TO MATCH EXISTING
7. GATES TO MATCH EXISTING
8. EXISTING LANDSCAPING TO REMAIN
9. EXISTING PARKING SPACES TO REMAIN
10. EXISTING CONCRETE CURB
11. EXISTING DOORS INTO TENANT SPACE
12. EXISTING BUILDING ARCHWAY ABOVE
13. EXISTING BUILDING ARCHWAY ABOVE

## Plants

- A. GRASS - TO MATCH EXISTING - TBD
- B. TBD TO MATCH EXISTING
- C. TBD TO MATCH EXISTING
- D. TBD TO MATCH EXISTING

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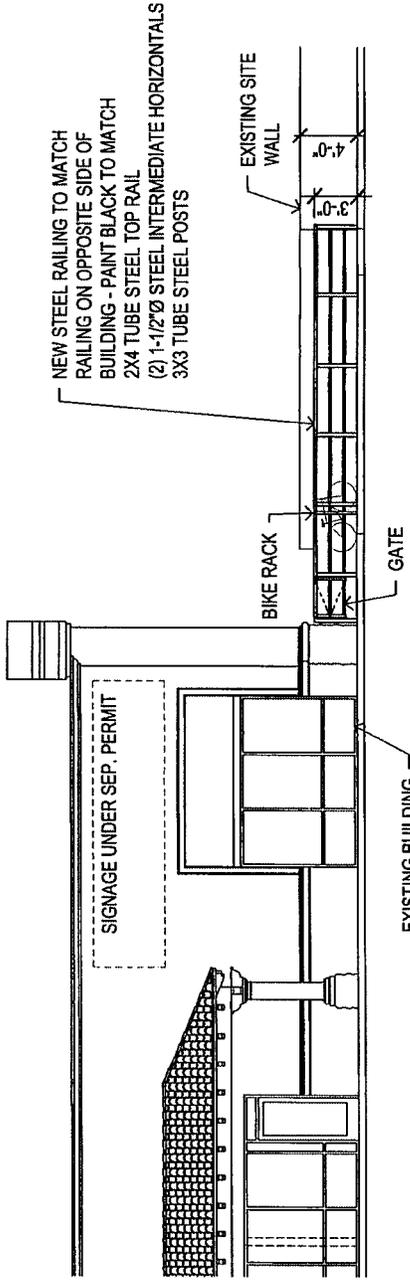
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PRELIMINARY - NOT FOR CONSTRUCTION

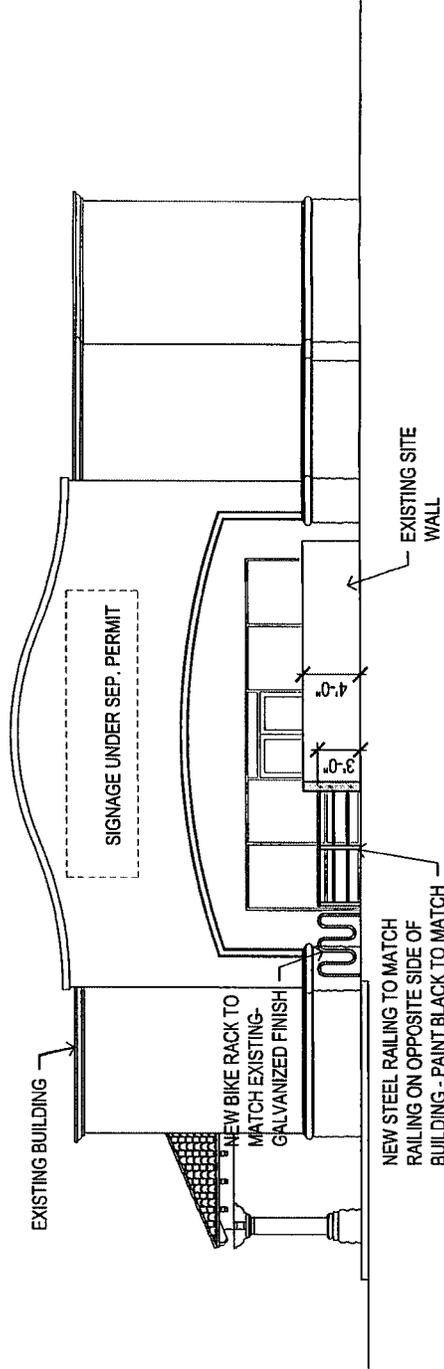
THE CASUAL PINT  
 1095 W. QUEEN CREEK, SUITE 8  
 PROJ. #: VL1535

04.0

10/17



1 NORTH (FRONT) ELEVATION  
 SCALE: 1/8"=1'-0"



2 WEST ELEVATION  
 SCALE: 1/8"=1'-0"

**THE CASUAL PINT LUP-0008**

**1095 W QUEEN CREEK ROAD SUITE 8 CHANDLER AZ 85248**

**PROJECT NARRATIVE**

For its Project Narrative, in accordance with the requirements of the City of Chandler Liquor Use Permit Application, E-Z Enterprises Ocotillo, LLC dba The Casual Pint states as follows:

The Casual Pint is submitting this Liquor Use Permit application to allow a series 7 beer and wine bar license at 1095 W Queen Creek Road Suite 8 Chandler Arizona 85248 (the South West corner of Queen Creek Road and Alma School Road). A series 7 beer and wine bar license allows customers to consume beer and/or wine at the location and allows beer and/or wine package sales. Although this type of liquor license does not mandate food service, there will be meals prepared on the premises. Therefore this application is a request for approval of a Liquor Use Permit allowing on-sale consumption inside the building and on an outdoor fenced patio as well as off-sale packaged beer and/or wine sales from the establishment at the listed location.

The building for The Casual Pint is approximately 2,182 sq ft. and an outdoor fenced patio is requested to allow customers to eat and consume alcohol on the patio. This liquor license requires churches and schools to be located no closer than 300 feet from the establishment. The nearest church is Family Bible Church located at 2725 S Alma School Road, Chandler AZ 85286 and it is approximately 2,112 feet from the proposed business. The nearest school with any grades kindergarten through 12 is Jacobson Elementary School located at 1515 NW Jacaranda Pkwy Chandler AZ 85248. Jacobson Elementary School is 5,280 feet from the proposed business.

The proposed days of operation of The Casual Pint will be Monday through Thursday 11:00 am – 10:00 pm, Friday and Saturday 11:00 am – 12:00 am and Sunday 1:00 pm to 8:00 pm. We are also requesting occasional live music such as acoustical guitar and/or vocalist inside the premises approximately four times a month. The music would not be amplified and will meet any noise ordinances established by the City of Chandler. No music will be provided outdoors on the patio. Additionally, there will be no televisions on the patio.

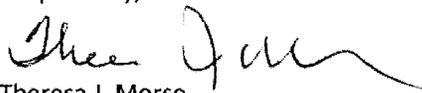
Trash pick-up will be scheduled on a daily basis surrounding the property. The trash receptacles are located directly south of 1095 W Queen Creek Rd Suite 8 Chandler AZ 85248 and the residential property is also south of this proposed business. Therefore, trash will be disposed of between the hours 12:00 (noon) until 7:00 pm so as not to disturb the tranquility of neighboring residents.

Although suite 8 is currently vacant; there are other retail businesses within this upscale development and there is existing landscaping and lighting. However, if additional landscape is required by the City of Chandler the applicant will comply with the requests.

I respectfully ask that a Liquor Use Permit be granted for 1095 W Queen Creek Rd. Suite 8 Chandler AZ 85248 to include occasional live entertainment inside the establishment as previously stipulated.

In conclusion, The Casual Pint will not disrupt the existing balance of daytime and nighttime uses and will not negatively affect vehicular or pedestrian traffic in the adjacent parking lots as there is adequate parking and entrances/exits to the business and properties. Furthermore, the sale of beer and wine from this site will not negatively impact residents and/or businesses within the surrounding area.

Respectfully,

A handwritten signature in black ink, appearing to read "Theresa Morse", with a long, sweeping flourish extending to the right.

Theresa J. Morse

Applicant/Representative

(480) 353-8035



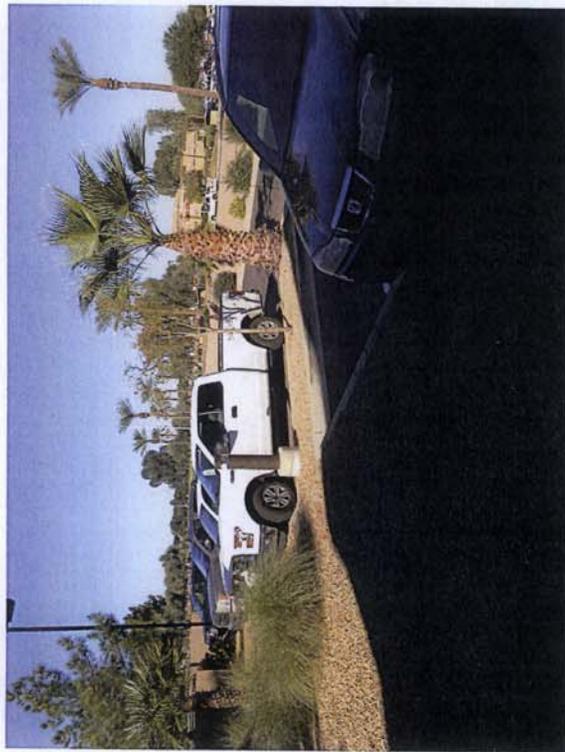
2. FACING WESTWARD AT PATIO AREA



4. FACING SOUTHWEST AT PATIO AREA



1. FACING EAST TOWARD WEST FACE OF BUILDING - PATIO AREA IN FOREGROUND



3. FACING NORTH WEST WHERE PATIO AREA MEETS PARKING



Hearing - Casual Pint

Joan Maloof

to:

susan.fiala

06/01/2016 03:52 PM

Hide Details

From: "Joan Maloof" <jjmgm@cox.net>

To: <susan.fiala@chandleraz.gov>

## 1 Attachment



Doc1.docx Stillwater Cove.docx

Hi Susan,

I spoke with you at the neighborhood meeting last month; and again by phone following that meeting.

I have a document that illustrates my concerns regarding the location of the proposed business that is the subject of this hearing.

I may or may not be able to attend, but would like this document entered into the record, showing my concerns, as a resident of Stillwater Cove, the community nearest this location.

Thanks,

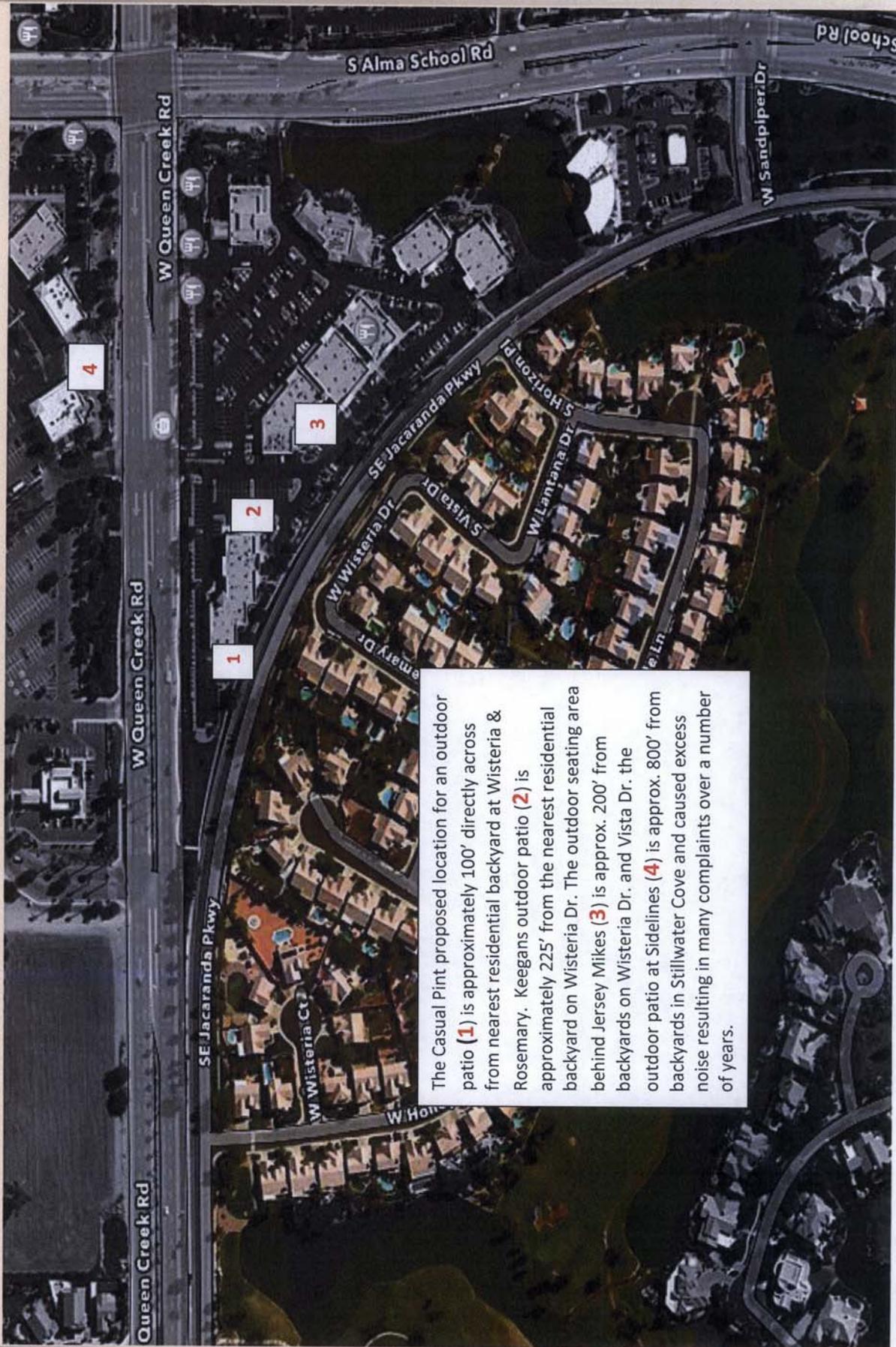
Joan Maloof

3140 S. Vista Dr.

Chandler AZ 85248

480 471 8706

# Stillwater Cove Ocotillo



The Casual Pint proposed location for an outdoor patio (1) is approximately 100' directly across from nearest residential backyard at Wisteria & Rosemary. Keegans outdoor patio (2) is approximately 225' from the nearest residential backyard on Wisteria Dr. The outdoor seating area behind Jersey Mikes (3) is approx. 200' from backyards on Wisteria Dr. and Vista Dr. the outdoor patio at Sidelines (4) is approx. 800' from backyards in Stillwater Cove and caused excess noise resulting in many complaints over a number of years.