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OCT 13 2016

Chandler



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

**MEMORANDUM**

**Planning Division – CC Memo No. 16-113**

**DATE:** OCTOBER 13, 2016

**TO:** MAYOR AND COUNCIL

**THRU:** MARSHA REED, CITY MANAGER *MR*  
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
 KEVIN MAYO, PLANNING MANAGER *KA*

**FROM:** LAUREN SCHUMANN, CITY PLANNER *LS*

**SUBJECT:** LUP16-0032 DOWN TIME WINES, INC.

**Request:** Liquor Use Permit approval to produce, serve and sell wine for on-premise and off-premise consumption as permitted under a Series 1 In-State Producer License with occasional live entertainment indoors

**Location:** 393 W. Warner Road, Suite 109, southeast corner of Warner Road and Hartford Street

**Applicant:** Basil M. Kaspar, Business Owner

**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 subject site is located at the southeast corner of Warner Road and Hartford Street within Palm Court Center. Multi-family townhomes are located south of the subject site, west of Hartford Street, and Avilla Grace Apartments are north of Warner Road. East of Palm Court Center is the John Deer sales and repair facility. The subject site is located within inline shops with a restaurant and a hookah lounge on either side of the suite. Palm Court Center has a mix of commercial uses within four buildings.

Down Time Wines, Inc. is a new business that will make wine from kits through a proprietary multi-staged ferment process. Fermenting process typically ranges from fourteen to ninety days. The wine would then be bottled and sold for either on-premise or off-premise consumption as permitted by the State under a Series 1 In-State Producer License. Down Time Wines, Inc. will

occupy a 1,400 square foot suite, which the front of the suite is used for wine tasting and reception area for 25 persons. Since there is no kitchen, Down Time Wines, Inc. will hire local restaurants to cater wine tastings events. During the wine tastings, guest may purchase bottles for off-premise consumption. The business owners are also requesting occasional live music during special events. Since the suite has no outdoor patio, all live music will be indoors.

Down Time Wines, Inc. does not have typical hours of operation, and offer tasting depending on demand and release of new wines. The business owners estimate four to eight tasting will occur per month, and additional retail hours may be added on demand. However, wine will only be sold during the hours permitted by state law.

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

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on September 14, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns to the request

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

Motion to Approve.

In Favor: 6    Opposed: 0

#### **RECOMMENDED ACTION**

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0032 DOWN TIME WINES, INC., subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 1 In-State Producer License, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. The site shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

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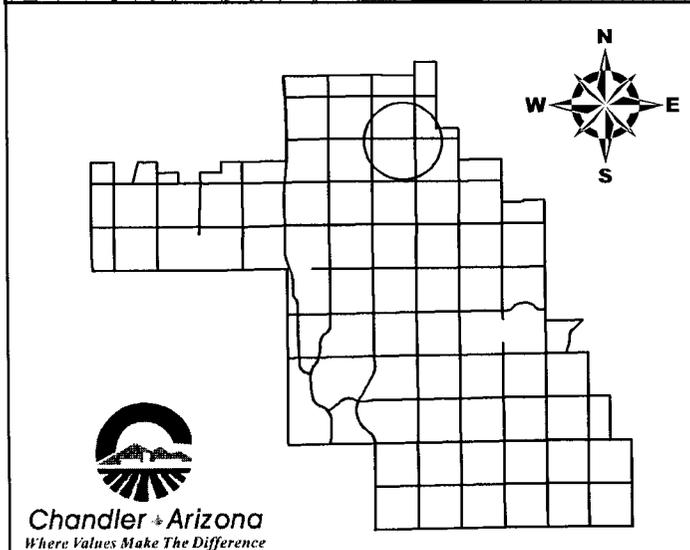
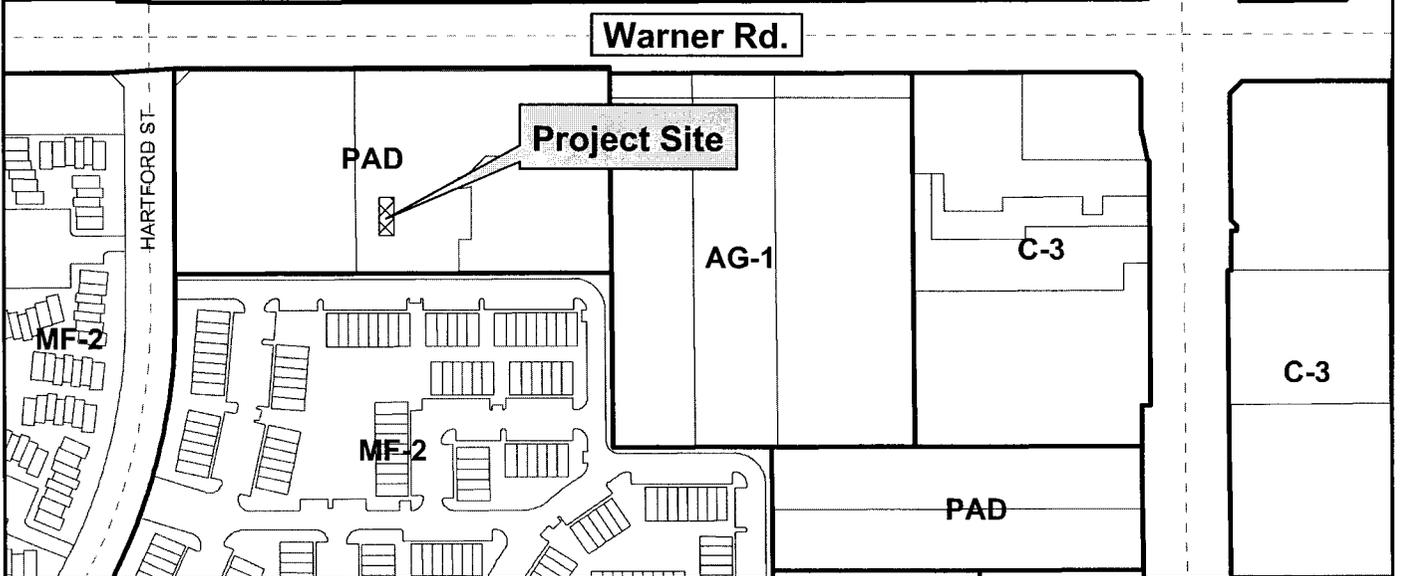
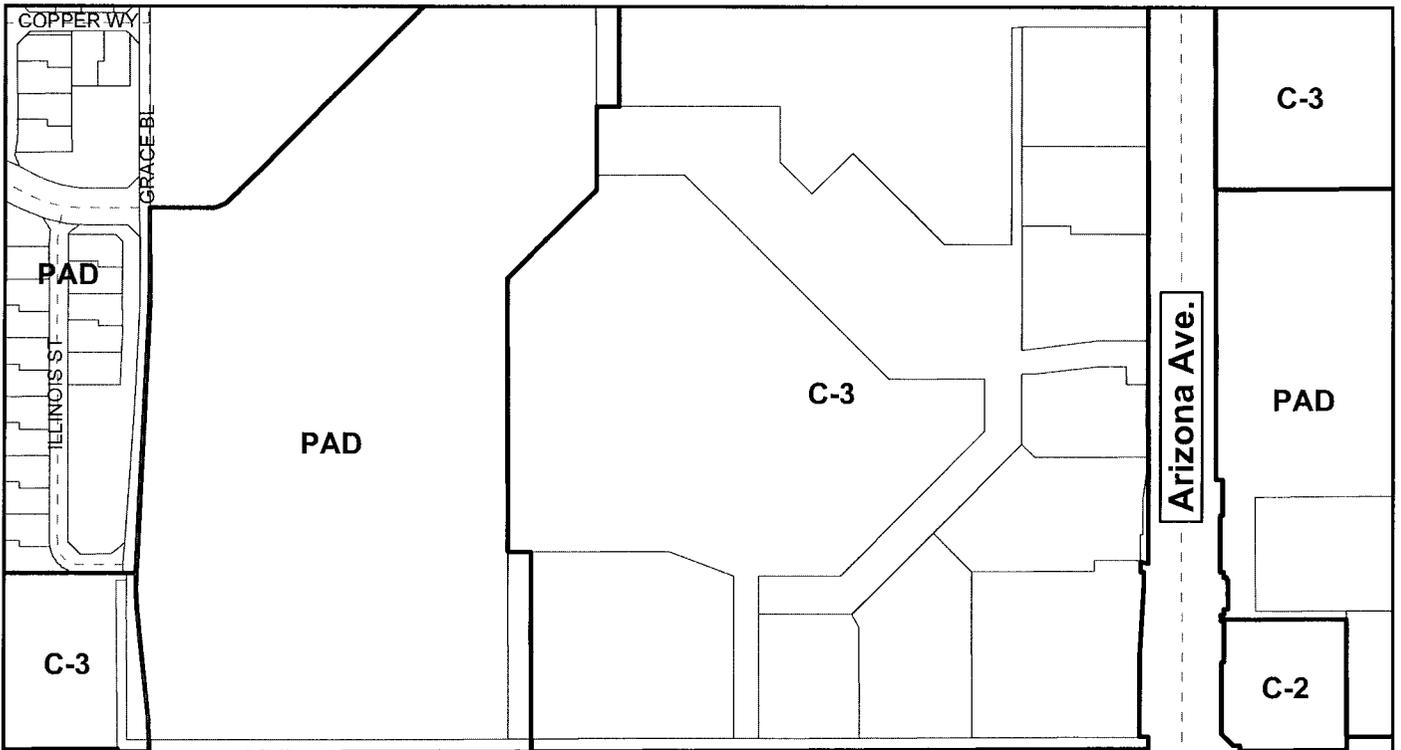
October 13, 2016

**PROPOSED MOTION**

Move City Council approve Liquor Use Permit case LUP16-0032 DOWN TIME WINES, INC., subject to the conditions as recommended by Planning Commission and Planning Staff.

**Attachments**

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



**Vicinity Map**

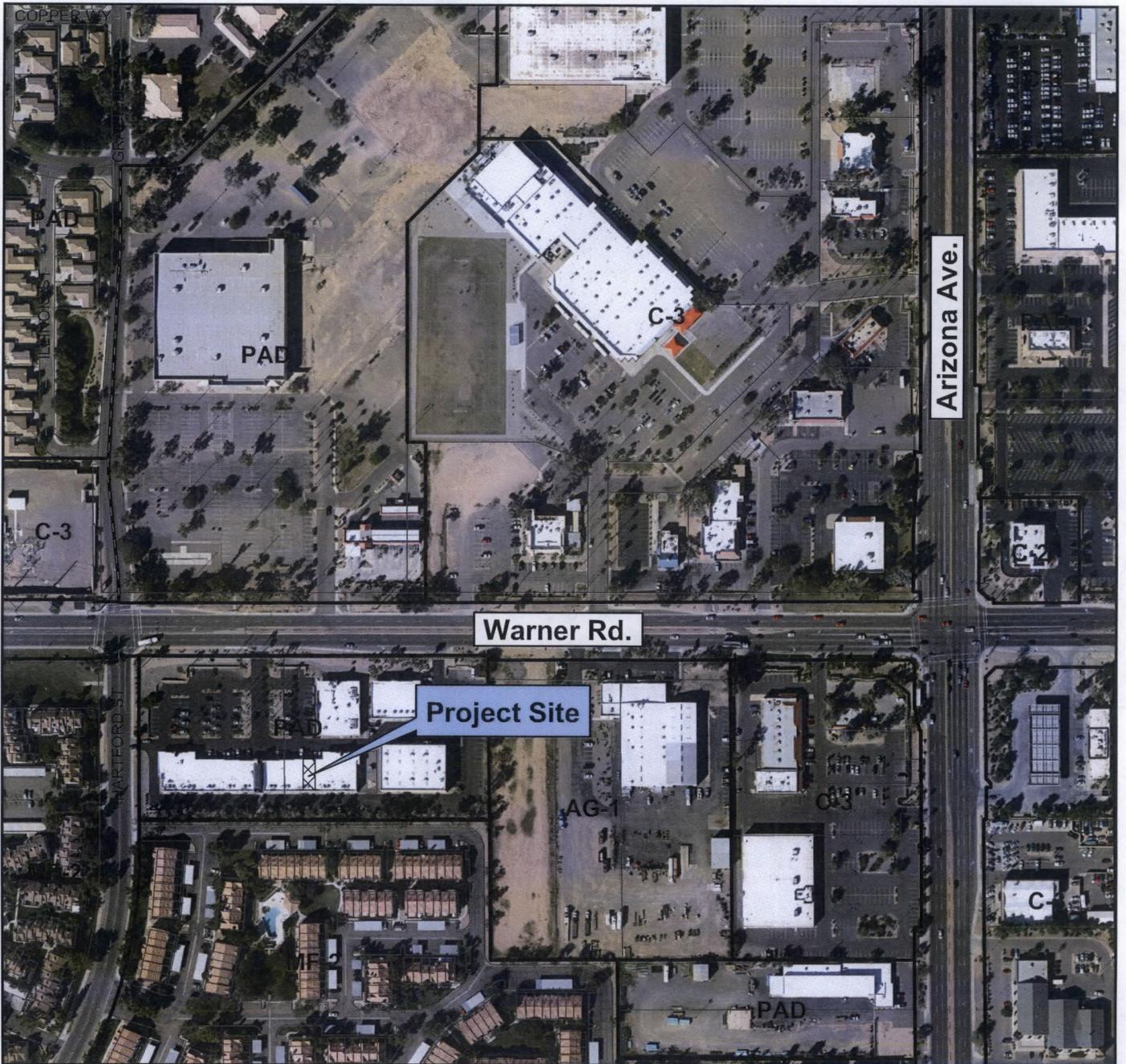
**LUP16-0032**

**Down Time Wines, Inc.  
Liquor Use Permit**

CITY OF CHANDLER 8/10/2016



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## Vicinity Map



LUP16-0032

**Down Time Wines, Inc.  
Liquor Use Permit**

**Business Name: Down Time Wines, Inc.**

**Liquor Use Permit for: Series-1, In-State Producer License**

**Proposed Business Address: 393 W. Warner Road, Suite 109, Chandler, AZ 85225**

**Property Owner: Palm Court Investments, LLC DBA Palm Court Center**

**Suite Size: Approximately 1400 sq\ft**

**Point of Contact: Basil M. Kaspar, 480-319-1774 = cell, email = [bmkind1955@cox.net](mailto:bmkind1955@cox.net)**

Down Time Wines, Inc. will purchase pre-packaged wine kits. Then make the kits via a proprietary multi-staged fermentation process. To complete the process, we use a proprietary fining procedure then bottling, corking and labeling.

Down Time Wines, Inc. will offer wine tastings where whole, full and sealed bottles can be purchased.

Hours of operation will be based on scheduled events such as public and private wine tastings. Depending on demand for our wine product(s), additional store hours may be implemented. We estimate 4 to 8 wine tastings per month.

To start there will only be two (2) employees (the owners).

Indoor seating will be for approximately 25 people for wine tasting events.

There is no outdoor seating, dining or patio. No food will be prepared at this location. All food for our events will be on an as needed basis from established restaurants and/or catering companies.

We may decide to have live quiet background music indoors for holiday's and/or special events.

This will be a "Smoke Free" operation with a designated smoking area outside in the common space. No open wine will be permitted outside the premises.

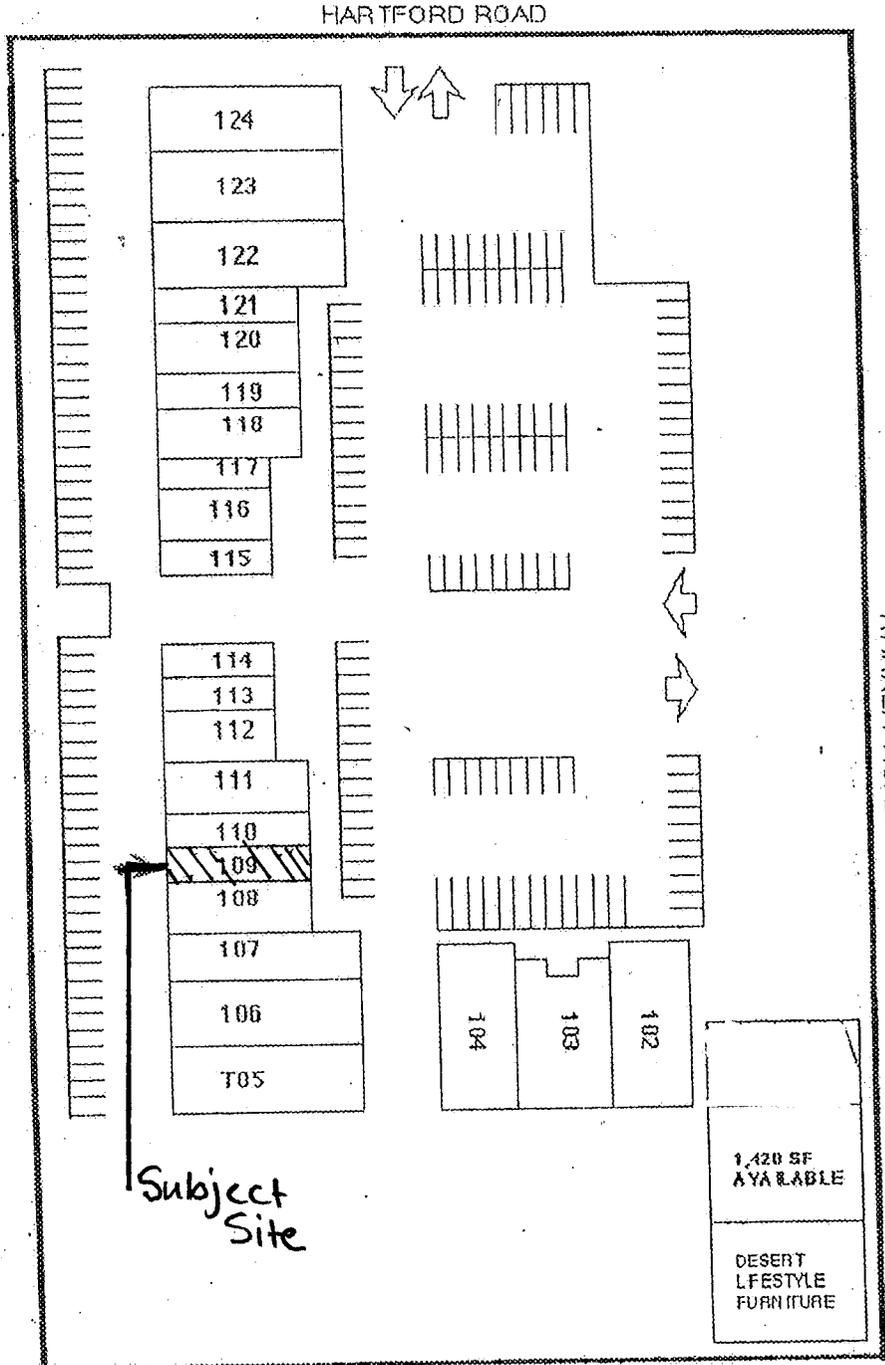
Series-1, In-State Producer License does allow for retail and wholesale sales of our wines. Therefore, we will be pursuing retail and wholesale sales of our wines.

LUPI6-0032 Narrative

EXHIBIT "A"  
SITE PLAN

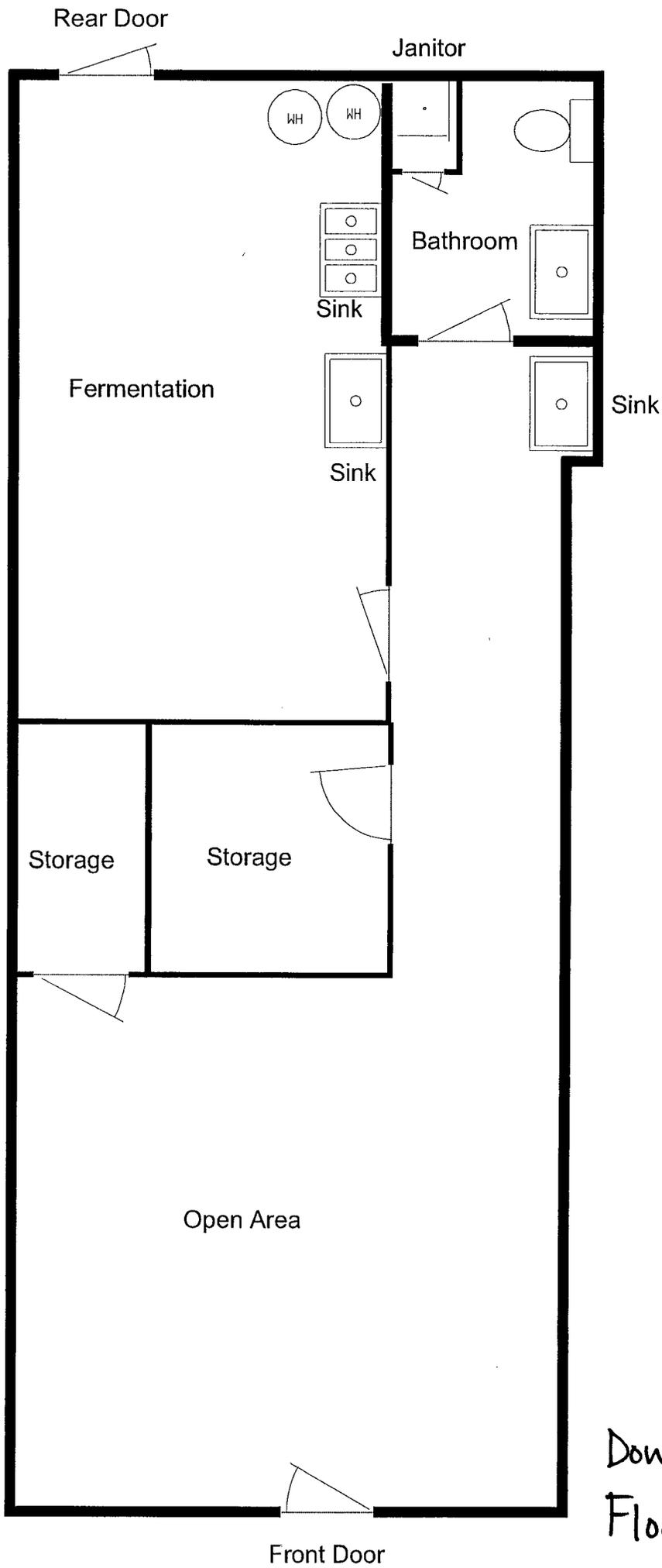


393 WEST WARNER ROAD \* CHANDLER, ARIZONA



ALL INFORMATION OR DESIGN  
INDICATED HEREON IS PRELIMINARY  
ONLY. IT IS SUBJECT TO MODIFICATION  
BY SURVEY AND APPROVAL BY  
GOVERNING AGENCIES

Site Plan



1400 Sq. Ft.

Down Time Wines, Inc  
Floor Plans