



**MEMORANDUM                      Transportation & Development - PZ Memo No. 11-071**

**DATE:**            AUGUST 5, 2011  
**TO:**                PLANNING AND ZONING COMMISSION  
**THRU:**           R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR  
                          JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
                          KEVIN MAYO, PLANNING MANAGER *KM*  
**FROM:**            ERIK SWANSON, CITY PLANNER *KM*  
**SUBJECT:**        LUP11-0015 THE LIVING ROOM

**Request:**            Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license for on-premise consumption only for an existing restaurant and outdoor patio  
**Location:**           2475 W. Queen Creek Road, Ste. 1;  
                              West of the southwest corner of Queen Creek and Dobson Roads  
**Applicant:**           Mike Perry; Whitneybell Perry, Architect

**RECOMMENDATION**

The request is for Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license for an existing restaurant and outdoor patio. Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommends approval with conditions.

**BACKGROUND**

The subject site is located west of the southwest corner of Queen Creek and Dobson roads, within the Downtown Ocotillo commercial shopping center. The subject site is located in a suite within an inline shops space. Queen Creek Road is directly north of the site. Parking fields are located east and south of the site. West, adjacent to the restaurant are shop spaces.

The subject site received Use Permit approval to sell alcohol in conjunction with a Series 12 (Restaurant) liquor license for the restaurant and an extended outdoor patio in May of this year. Following the Council approval, the restaurant owners were audited by the State, and were just short of the ratio required for a Series 12. The restaurant primarily serves appetizers, soups, salads, and sandwiches, and does not offer a typical lunch and dinner menu, making the

requirement to derive 40% of sales from food and non-alcoholic drinks difficult. Additionally, The Living Room wants the ability to offer their patrons the option to purchase wine (bottles or even cases) for off-premise consumption. The applicant has indicated that a number of the wines served are not available for purchase locally in the retail market.

The subject site is an approximate 2,180 square foot suite occupying the eastern half of an approximate 7,000 square foot inline shops building. The dining and bar areas total approximately 1,430 square feet and can accommodate 104 patrons. The kitchen area is approximately 307 square feet. Two separate outdoor patios are provided; one patio is located west of the main entrance on the south side of the building, and the second patio is located east of the main entrance on the south side of the building and wraps around the eastern face of the building. The patios combined as they exist, are approximately 889 square feet.

The site, when initially designed required 27 parking stalls, 71 were provided. With the expanded patio area an additional four parking spaces are required. The site has an abundance of 40 parking spaces.

### **DISCUSSION**

In addition to serving/selling alcohol in conjunction with a Series 6 liquor license, the restaurant is requesting the ability to provide live entertainment on a limited basis. The request for the live entertainment is relatively recent, as live entertainment was not being provided during the last Use Permit process in May. As proposed, the entertainment will consist of local individual artists playing acoustic music Sunday through Tuesday. Sunday, the hours are from 3-7 p.m. and on Mondays and Tuesdays from 6-10 p.m. Wednesday through Saturday, a local DJ plays from 6-10 p.m. during the week and on the weekends until 11 p.m. The entertainment is located at the western end of the restaurant, and is designated on the attached floor plan. Staff believes that the live entertainment component does not present a concern to the surrounding area as the restaurant is roughly a quarter-mile from the nearest single-family home (northeast corner of Queen Creek and Dobson roads) and 900-feet from the nearest multi-family development (southeast corner of Queen Creek and Dobson roads).

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting is scheduled for Tuesday, August 16, 2011; Staff will update the Planning Commission at the hearing. Due to the lack of neighborhood response with the recent Use Permit request, it is anticipated that concerns will not be expressed.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

### **RECOMMENDED ACTION**

Staff, upon finding consistency with the General Plan and PAD zoning, recommends approval of LUP11-0015 THE LIVING ROOM, subject to the following conditions:

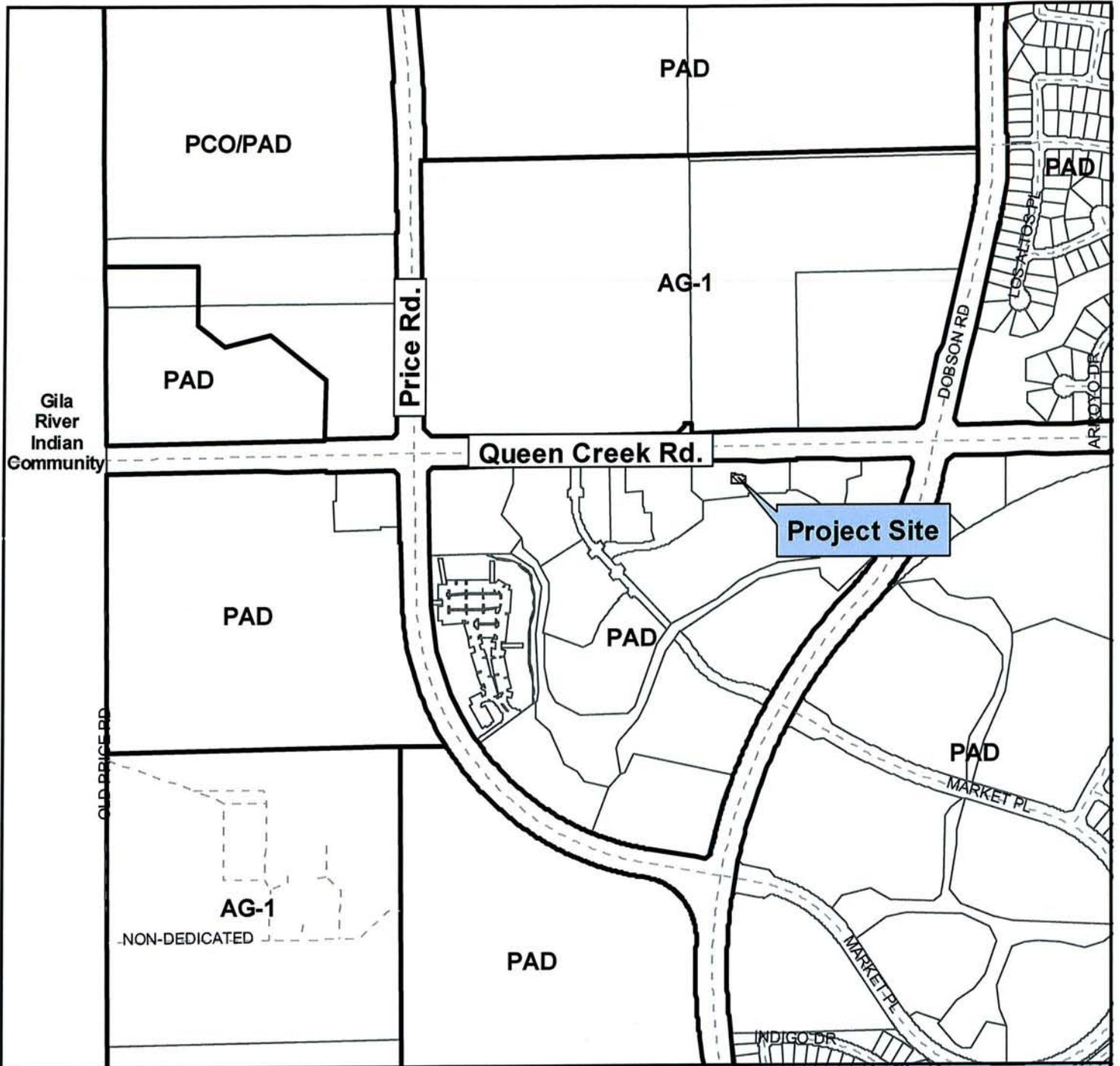
1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to other store locations.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit is granted for a Series 6 license only, and any change of license shall require reapplication and new Use Permit approval.
6. No noise shall be emitted from outdoor speakers or acoustical musicians on the patios so that it 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.

**PROPOSED MOTION**

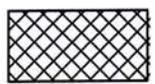
Motion to recommend approval of LUP11-0015 THE LIVING ROOM, Use Permit approval to sell alcohol as permitted with a Series 6 (Bar) liquor license; subject to the conditions recommended by Staff.

**Attachments**

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



**Vicinity Map**



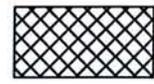
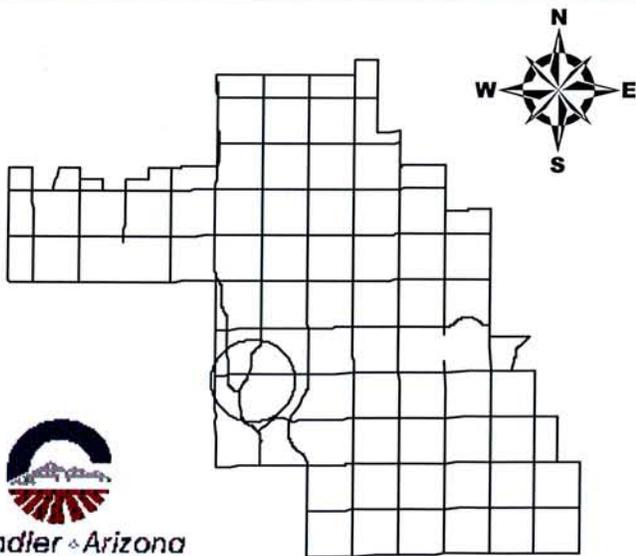
**LUP11-0015**

**The Living Room  
Liquor Use Permit**





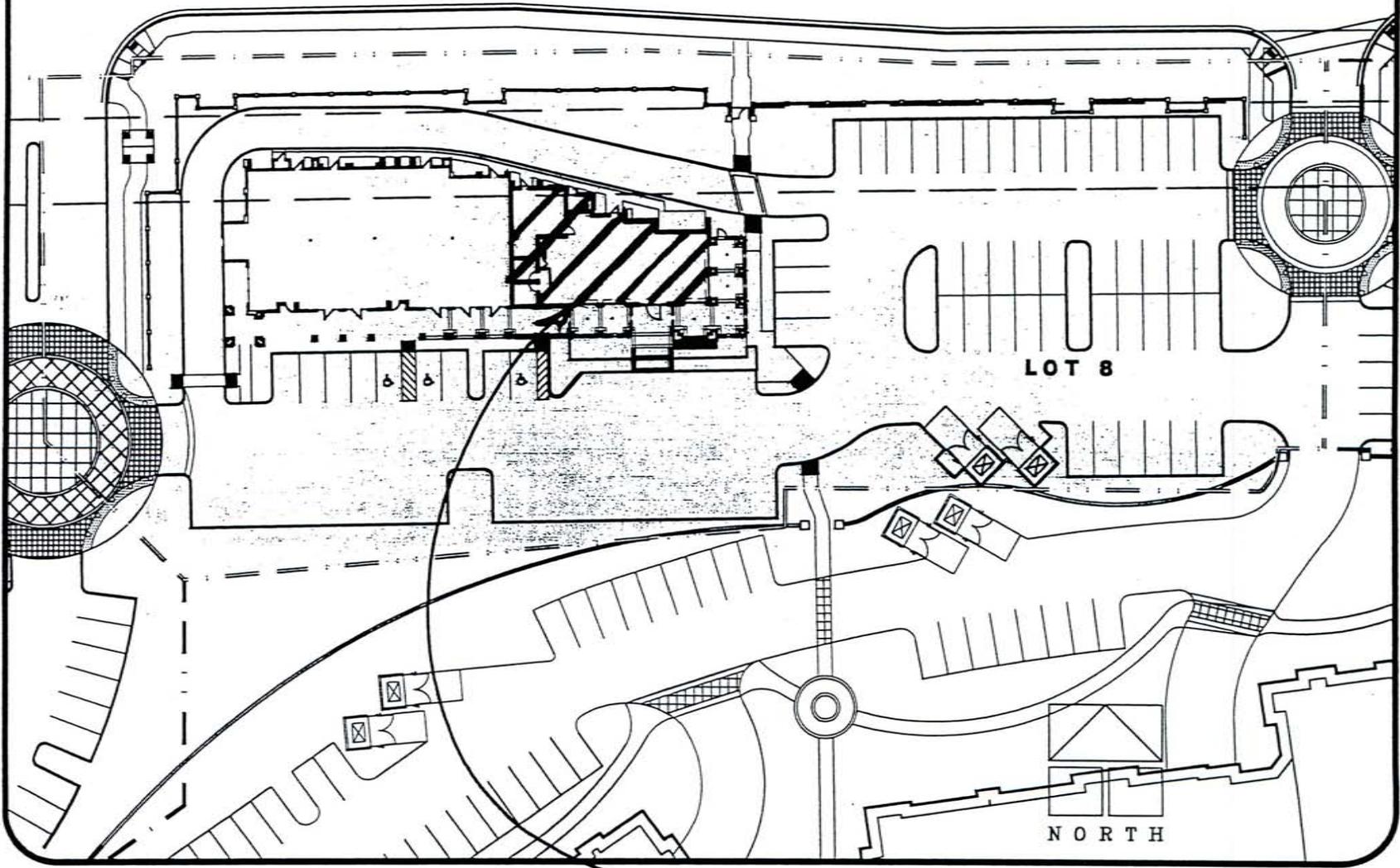
## Vicinity Map



LUP11-0015

**The Living Room  
Liquor Use Permit**

# SITE PLAN



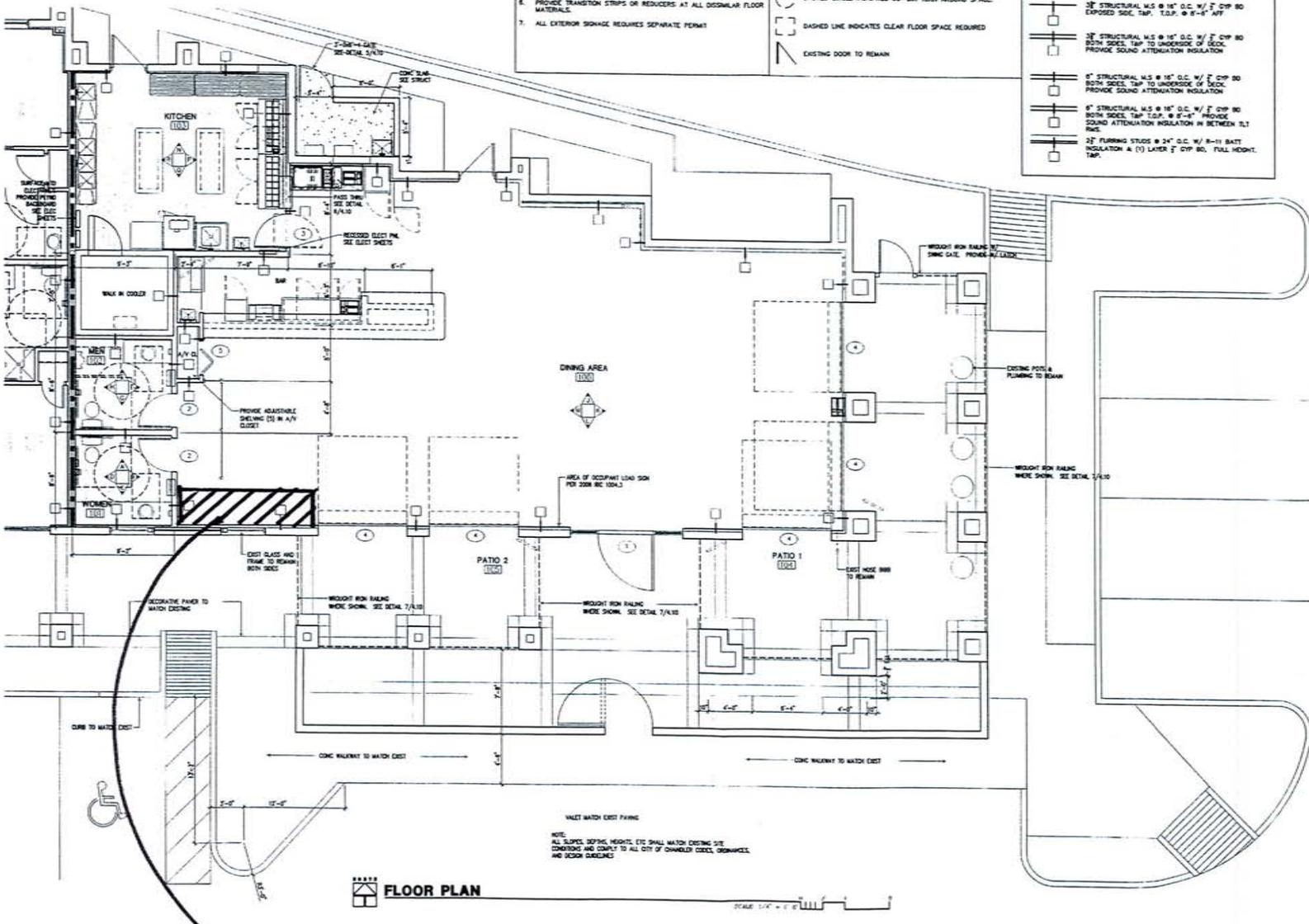
LOT 8

NORTH

SUBJECT SITE

GENERAL NOTES:	LEGEND	WALL LEGEND
1. PROVIDE 1/2" WATER RESISTANT GYP. BO ON ALL NET WALLS.	DOOR SYMBOL - SEE DOOR SCHEDULE SEE SHEET 1.12	1 HOUR RATED SEPARATION WALL U.S. SECTION - U.S.A. STC = 30 TO 24 6" M.S. @ 16" O.C. W/ SOUND ATTENUATION INSULATION & (1) LAYER 2" FIBER GYP BO BOTH SIDES FULL HT TO UNDERSIDE OF DECK.
2. SEE STRUCTURAL DRAWINGS AND DETAILS FOR ADDITIONAL INFORMATION ON WALL CONSTRUCTION AND BRACING	WALL DESIGNATION - SEE WALL LEGEND	2" STRUCTURAL M.S. @ 16" O.C. W/ 2" GYP BO BOTH SIDES, T.O.P. @ 8'-8" AFF
3. SEE SHEET 4.10 FOR DOOR CLEARANCE REQUIREMENTS	INTERIOR ELEVATION SYMBOL - SEE SHEET 3.10	2" STRUCTURAL M.S. @ 16" O.C. W/ 2" GYP BO BOTH SIDES, T.O.P. @ 8'-8" AFF
4. ALL DIMENSIONS ARE TAKEN TO CENTER LINE OF WALL UNLESS NOTED OTHERWISE.	ROOM NAME AND NUMBER - SEE ROOM FINISH SCHEDULE THIS SHEET	2" STRUCTURAL M.S. @ 16" O.C. W/ 2" GYP BO BOTH SIDES, T.O.P. @ 8'-8" AFF
5. SEE SHEET 1.13 FOR EQUIPMENT & FURNITURE INFORMATION	DASHED CIRCLE INDICATES 90° DIA TURN AROUND SPACE	6" STRUCTURAL M.S. @ 16" O.C. W/ 2" GYP BO BOTH SIDES, TAP TO UNDERSIDE OF DECK. PROVIDE SOUND ATTENUATION INSULATION
6. PROVIDE TRANSITION STRIPS OR REDUCERS AT ALL DISSIMILAR FLOOR MATERIALS.	DASHED LINE INDICATES CLEAR FLOOR SPACE REQUIRED	6" STRUCTURAL M.S. @ 16" O.C. W/ 2" GYP BO BOTH SIDES, TAP T.O.P. @ 8'-8" PROVIDE SOUND ATTENUATION INSULATION IN BETWEEN 2L1 RICH.
7. ALL EXTERIOR SIGNAGE REQUIRES SEPARATE PERMIT	EXISTING DOOR TO REMAIN	2" FLOORING STUDS @ 24" O.C. W/ 8"-11 BATT INSULATION & (1) LAYER 2" GYP BO, FULL HEIGHT, TAP.

Contractor must verify all dimensions at project before proceeding with this work. In all instances, dimensions shall prevail over quantities. The contractor shall be responsible for obtaining all necessary permits for this work. The contractor shall be responsible for obtaining all necessary permits for this work. The contractor shall be responsible for obtaining all necessary permits for this work.



**THE LIVING ROOM  
WINE CAFE & LOUNGE**  
CHANDLER, ARIZONA



**WHITNEYBELL PERRY INC**  
1102 East Missouri Avenue  
Phoenix, Arizona 85014-2784  
(602)265-1891



**ARCHITECTURE AND PLANNING**

**1.11**  
0934

COPYRIGHT WHITNEYBELL PERRY INC  
11 JUN 2011  
**FLOOR PLAN**

MUSIC AREA

FLOOR PLAN

Thursday, August 11, 2011

**WHITNEYBELL PERRY INC**

1102 EAST MISSOURI AVENUE  
PHOENIX, ARIZONA 85014-2784



ARCHITECTURE & PLANNING  
PHOENIX ■ CHANDLER

**RE:** Narrative

**PROJECT:** The Living Room at Downtown Ocotillo  
LUP11-0015

To whom it may concern,

**The Living Room** Wine Café & Lounge is located in Downtown Ocotillo at 2475 W. Queen Creek Rd. Building H. Ste. #1 Chandler, Arizona 85248. This existing Santa Barbara style suite has a 1430 SF interior and 729 SF of patio with a total of 2159 SF and occupancy of 144 people (104 inside and 40 on the patio). There are 5 doors to access the patio from the interior restaurant. The patio has wrought iron style fencing and low stucco walls which provide for an intimate patio experience. One television will be located in the bar area, light background music inside and our live DJ 5-11pm Wednesday, Thursday and Friday and on Saturday 7-11pm. Live acoustical performer on Sunday 3-7pm and on Monday and Tuesdays 6-10pm. We have no plans for pool tables or games.

The Living Room Currently operates with a Series 12 Liquor License and is requesting a Series 6 Liquor License. They desire the ability to sell bottles or cases of wine for off site consumption. Many of the fine wines available at The Living Room are not available in the retail marketplace. With this license we would be able to accommodate those who find a wine that they would like to serve at home. The Living Room offers a relaxed, comfortable, and welcoming wine lounge and café. Featuring scrumptious appetizers, like our artisan cheese platter, bruschetta and flavorful hot and cold sandwiches. The 307 square foot kitchen provides light and simple fare, with the focus on locally grown and or produced products such as Schreiner's sausage, McClendan's organic produce, and MJ Breads. (See attached menu)

The Living Room is your new hangout in Chandler. In addition to lunch and dinner selections, locally roasted coffees and sharable deserts are offered, all served in a cozy living room setting. The Living Room offers an ever-changing selection of

boutique wines that are exclusively available at The Living Room. The Living Room's hours of operation will be 11am-10pm daily, 11 am-midnight on Friday and Saturday. The Living Room employs a staff of 15-18 people.

The Living Room fills a void in the "chain heavy" Ocotillo area and provides a very comfortable (locally owned) experience. It is a great place to come for lunch or dinner, or to meet after work with friends and co-workers to enjoy great food, great wine, and a great atmosphere. Love, Laugh and Lounge at the Living Room!

Contact Tom Kaufman at 602-697-5981 or Patrick King at 602-570-5501 if you have any questions regarding The Living Room.

Mike Perry AIA, LEED AP  
Principal

**WHITNEYBELL PERRY INC**  
ARCHITECTURE & PLANNING

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