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**MEMORANDUM** **Transportation & Development - PZ Memo No. 12-024**

**DATE:** MARCH 13, 2012

**TO:** PLANNING AND ZONING COMMISSION

**THRU:** R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

**FROM:** ERIK SWANSON, CITY PLANNER ES

**SUBJECT:** LUP12-0001 BOSTON STREET RESTAURANT

Request: Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for a new restaurant and outdoor patio

Location: 11 W. Boston Street, Suite 1;
West of the southwest corner of Arizona Avenue and Boston Street

Applicant: Lori Rutten, Owner

## RECOMMENDATION

The request is for Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for a new restaurant and outdoor patio. Staff, upon finding consistency with the General Plan, South Arizona Avenue Corridor Area Plan (SAZACAP), and City Center District (CCD) zoning, recommends approval with conditions.

## BACKGROUND

The subject site is located west of the southwest corner of Arizona Avenue and Boston Street. The subject site is located in a suite within a larger building that includes a bridal shop, specialty tea shop, winery/restaurant, and wine bar.

The subject site's zoning is CCD, which is a unique district that promotes specialty retail, cultural, dining, entertainment, and other storefront businesses traditional to a downtown setting. The South Arizona Avenue Corridor Area Plan (SAZACAP) designates the subject site for Urban Commercial, which is intended for certain pedestrian-oriented uses that draw from a larger market area than the immediately surrounding neighborhoods. Across the alley to the south is the Site 6 city-owned parking lot that the SAZACAP designates for

Cultural/Entertainment uses, which could include a range of more intense cultural, commercial, entertainment, and office uses. An established residential neighborhood that the SAZACAP designates for Low Density Residential uses with a Future Growth Area overlay for possible future expansion of the Cultural/Entertainment uses is located one block south of the subject site. North of the subject site is the A.J. Chandler Park.

The subject suite is approximately 2,600 square feet and will provide seating for 72 patrons in the dining area and an additional 20 patrons at the bar. Additionally, a small outdoor patio area is proposed that will allow for seating for four to eight patrons. The restaurant will be open from 11:00 a.m. to 2:00 a.m. daily. A stage is provided in the interior of the restaurant for live music ranging from individual musicians to small bands.

A Series 12 Restaurant License allows the sale of all liquor and requires a minimum of 40% of total sales to be in food and non-alcoholic beverages. The applicant plans to serve beer and wine only.

## PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on Thursday, March 8, 2012. Three interested parties attended the meeting including the business owners to the east and the Downtown Redevelopment Manager. A concern was raised by the adjacent business owner regarding the live entertainment component and the potential for sound proofing the common wall. The applicant indicated that live acts would more than likely by acoustic during early evening hours up to 10:00 p.m., with larger acts after 10:00 p.m.
- At the time of this writing, Staff has received no telephone calls or letters opposed to this application.
- Staff notified the Police Department of the request, and is unaware of any concerns.

## RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP12-0001 BOSTON STREET RESTAURANT, subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.

2. The Use Permit is non-transferable to any other location.

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

4. The site and outdoor patio shall be maintained in a clean and orderly manner.

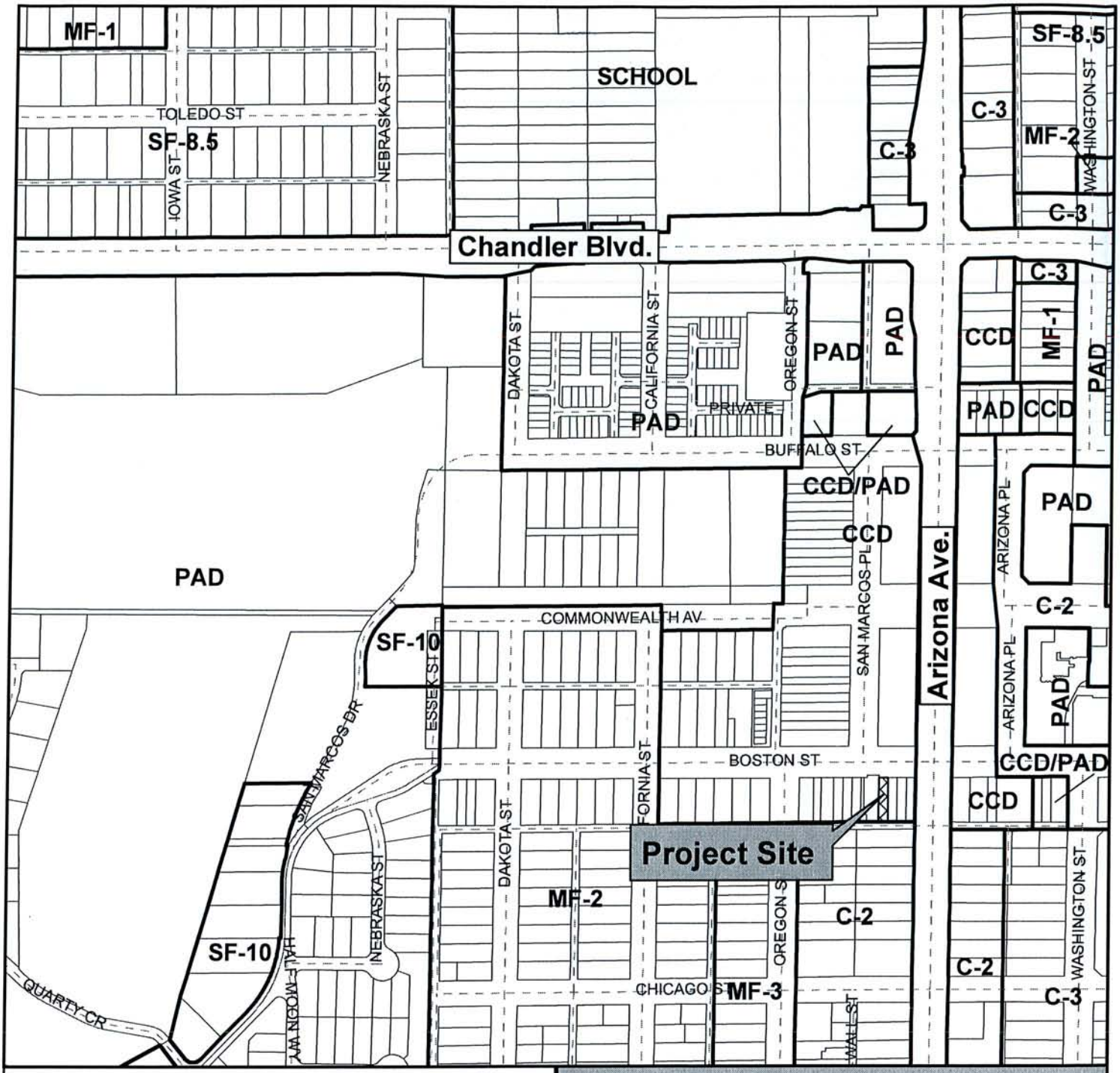
5. Music shall be controlled so as to not unreasonably disturb area residences.

**PROPOSED MOTION**

Motion to recommend approval of LUP12-0001 BOSTON STREET RESTAURANT, Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for a new restaurant and outdoor patio, subject to the conditions recommended by Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan/Floor Plan
3. Applicant Narrative




# Vicinity Map

LUP12-0001

**Boston Street Restaurant**
**Liquor Use Permit**

CITY OF CHANDLER 1/13/2012

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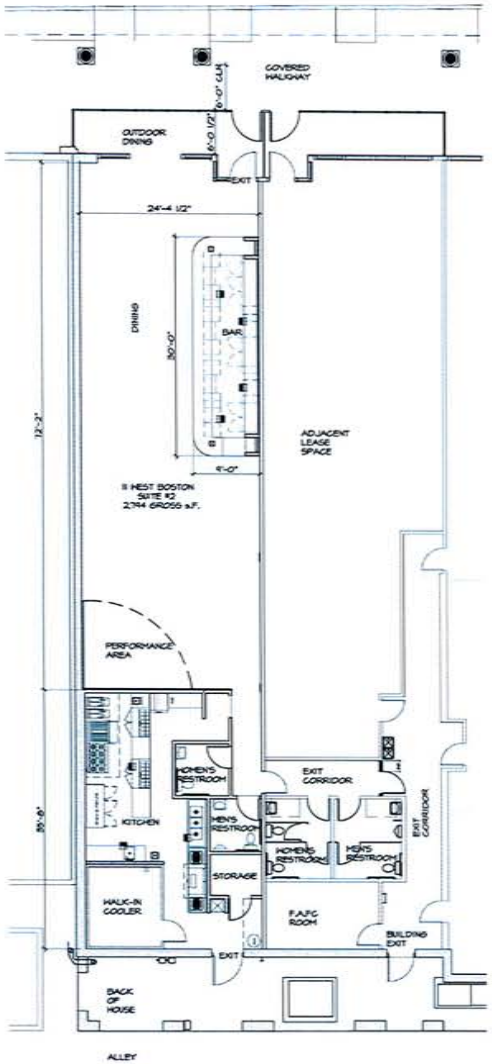
# Vicinity Map

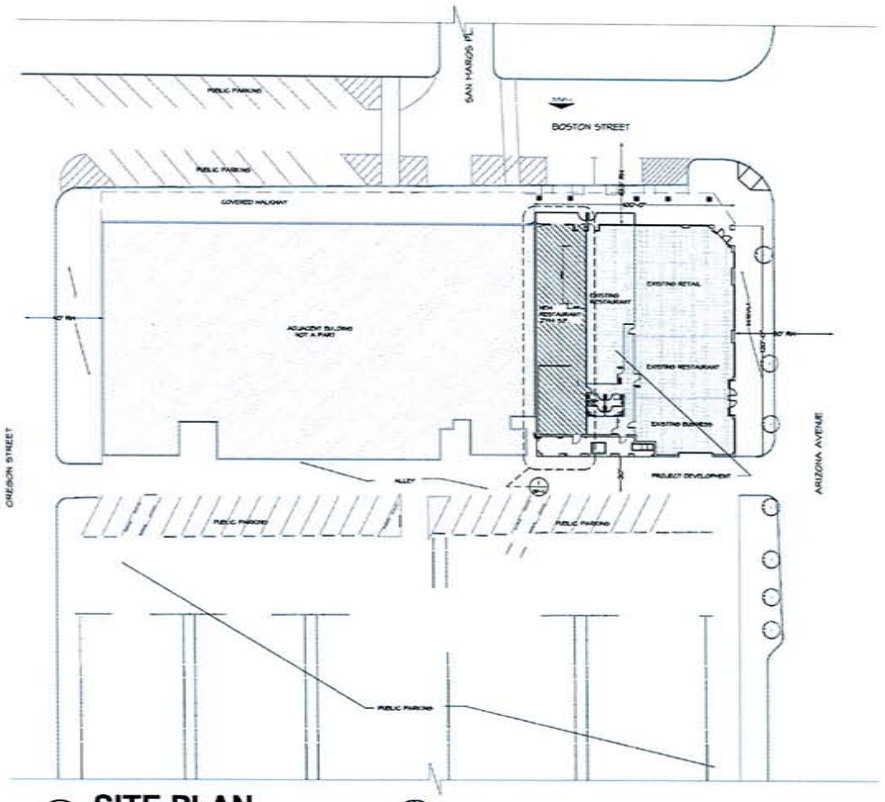
LUP12-0001

**Boston Street Restaurant**
**Liquor Use Permit**

CITY OF CHANDLER 1/13/2012

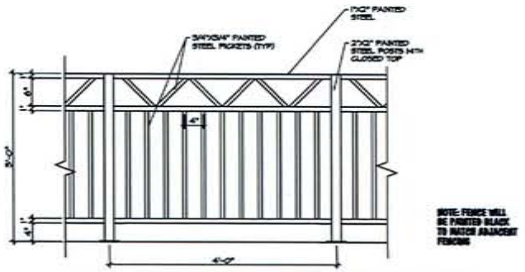



## 1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

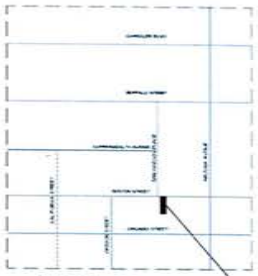



## 2 SITE PLAN
SCALE: 1" = 30'

## 3 PHOTO ELEVATION
SCALE: NO SCALE




## 4 TYPICAL FENCE ELEVATION
SCALE: 1" = 1'-0"




### PROJECT DATA

| | |
|---|---|
| ZONING | CCD |
| GROSS ACREAGE OF SITE | .275 ACRE |
| NET ACREAGE OF SITE | .275 ACRE |
| BUILDING SET BACKS | NA |
| BUILDING LOT COVERAGE | 95% |
| BUILDING AREA | 11,360 S.F. |
| PARKING | EXEMPT PER 35-302.F |

SIXTY FIRST PLACE ARCHITECTS, LTD.
7120 EAST INDIAN SCHOOL, SUITE L
SCOTTSDALE, ARIZONA 85251
PHONE (480) 947-8844 FAX (480) 947-9518

BOSTON STREET RESTAURANT
11 WEST BOSTON STREET #1
CHANDLER, ARIZONA
SITE PLAN

REGISTERED ARCHITECT 22488 SCOTT KING ARIZONA U.S.A. EXPIRES 6/30/12

| DATE | REVISIONS |
|---|---|

SIXTY FIRST PLACE ARCHITECTS

JOB NUMBER 11049
DATE 12/24/11
SHEET NO. SP-1

SITE/FLOOR PLAN

# Boston Street Property

To Whom It May Concern:

We are interested in leasing and improving the space located at 11 West Boston Street in Chandler and bring back the Southwestern feel that people have grown to admire about the Downtown Chandler Area. Our intentions with this property are simple; create a family style restaurant featuring "true" Southwest Style BBQ, ribs, hamburgers, steaks, and chicken, as well as feature local acoustic acts and small bands with a country flair, which this charming area is currently lacking. We plan to revamp the establishment by installing reclaimed barn wood, and exposing the interior genuine raw brick, while leaving the existing exterior which holds great Southwest charm. We would also like to enhance the front of the establishment by opening up the sliding front doors and feature a small patio with wrought iron fencing, where patrons can enjoy the beautiful Downtown Chandler Area. We are looking to bring back what is missing from this Legendary Southwestern Town, an authentic Cowboy Style, burger and rib joint for family and friends to enjoy for years to come.

Hours of operation will be 11:00 am to 2:00 am daily, serving a full menu until midnight, and operating with a series 12 restaurant license from the Arizona Department of Liquor Licenses and Control. We have sought out and hired an independent restaurant consultant who studied culinary arts at the New England Culinary Institute, who will create and develop a mouthwatering menu full of unique items as well as signature items that guests will not only appreciate, but crave. We will feature a full bar with an intermediate tap system as well as many sought after craft beers available by the can or bottle. Provided we are able to obtain all of the necessary permits required by city and state agencies, we are anticipating opening late April, 2012.

This new venture will employ approximately 35 employees, to execute and deliver great food and beverage with a smile. During the daylight and evening hours, we will play ambient background music for guests to enjoy while they eat and chat among friends. For the nighttime business, we will offer local live entertainment, ranging from a one person acoustic show for Happy Hour, to a small three or four piece band for the night owls. We currently intend to offer live music from 5:00 pm until close nightly. And, to bring smiles to those sports fans faces, we will show various sporting events on a limited number of flat screen tv's that will hang behind the bar area. The outdoor seating area will be modest, as space is limited; only allowing enough room for approximately two to four tables. The interior will house a bar that will be 20 feet long and seat roughly 20 people. In addition to the bar area and bar seating, the interior will house approximately 30 four top tables and booths.

We believe that this venture will be very exciting and receive a warm welcome from residents as well as visitors from across the world. Please refer to the supplied architectural drawings for additional information and reference. Should you have any questions or wish to discuss this new venture further, please do not hesitate to contact us at the number provided below.

Sincerely,

John Radice and Lori Rutten, Owners
Howdy Partners, LLC