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MEMORANDUM **Planning Division – PZ Memo No. 14-052**

DATE: JULY 16, 2014

TO: PLANNING AND ZONING COMMISSION

THRU: JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

SUBJECT: LUP14-0007 BOURBON JACKS BAR & GRILL

Request: Liquor Use Permit approval to sell and serve liquor as permitted under a Series 6 Bar License for on- and off-premises sales indoors and within an outdoor patio, and live entertainment indoors

Location: 11 W. Boston Street, Suite 1

Applicant: Lori Rutten, Howdy Partners LLC

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Staff recommends approval subject to conditions.

BACKGROUND

The subject site is located west of Arizona Avenue on the south side of Boston Street in Downtown Chandler. In April 2012, the restaurant was approved a Series 12 Restaurant License for liquor inside and on an outdoor patio as well as live entertainment indoors. The Series 12 requires at least 40% of gross revenue from the sale of food. The Arizona Department of Liquor determined this requirement was not met; therefore, the restaurant is requesting a Series 6 Bar License.

Accordingly, the application requests Liquor Use Permit approval to sell liquor as permitted under a Series 6 Bar License within an existing restaurant. A Series 6 Bar License allows the sale and service of all spirituous liquors and off-sale "To Go" privileges.

The restaurant is approximately 2,600 square feet with approximately 67 seats inside and 15 seats outside on a small patio. The interior includes a stage for live music.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting was held on July 10, 2014. No one attended other than the applicant.
- At the time of the memo, Planning Staff is not aware of any concerns or opposition to this request.

RECOMMENDED ACTION

Planning Staff, upon finding consistency with the General Plan, recommends approval of Liquor Use Permit LUP14-0007 BOURBON JACKS BAR & GRILL, subject to the following conditions:

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.

2. The Liquor Use Permit is granted for a Series 6 (Bar License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to other store locations.

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

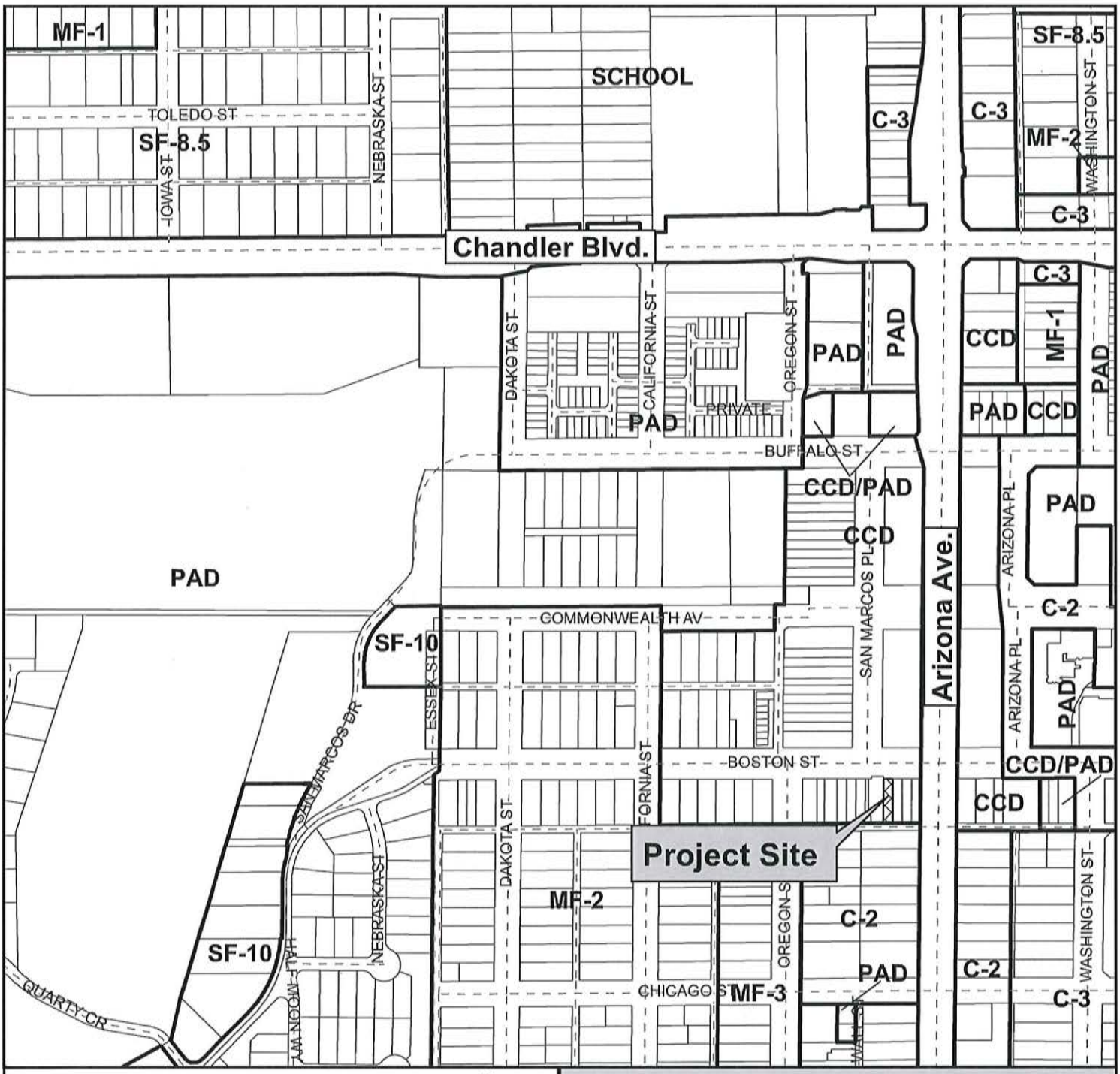
5. Music shall be controlled so as to not unreasonably disturb area residences.

PROPOSED MOTION

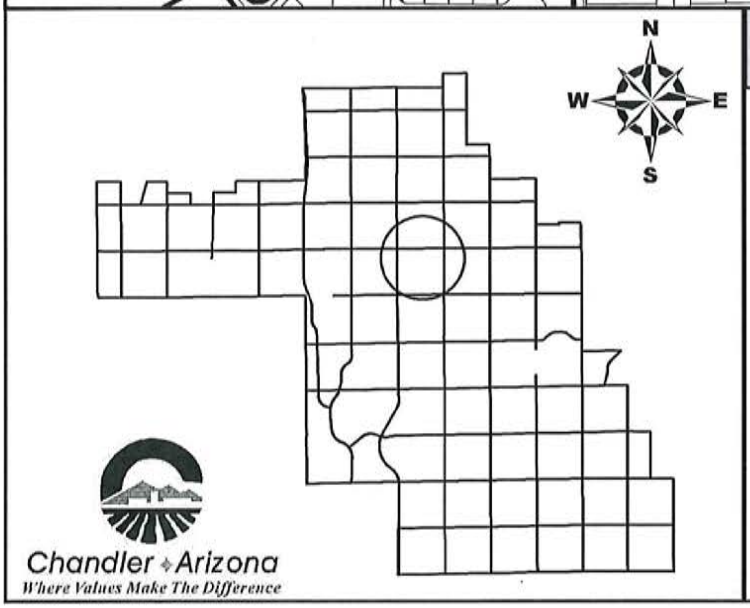
Motion to recommend approval of Liquor Use Permit case LUP14-0007 BOURBON JACKS BAR & GRILL, subject to the conditions recommended by Planning Staff.

Attachments

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



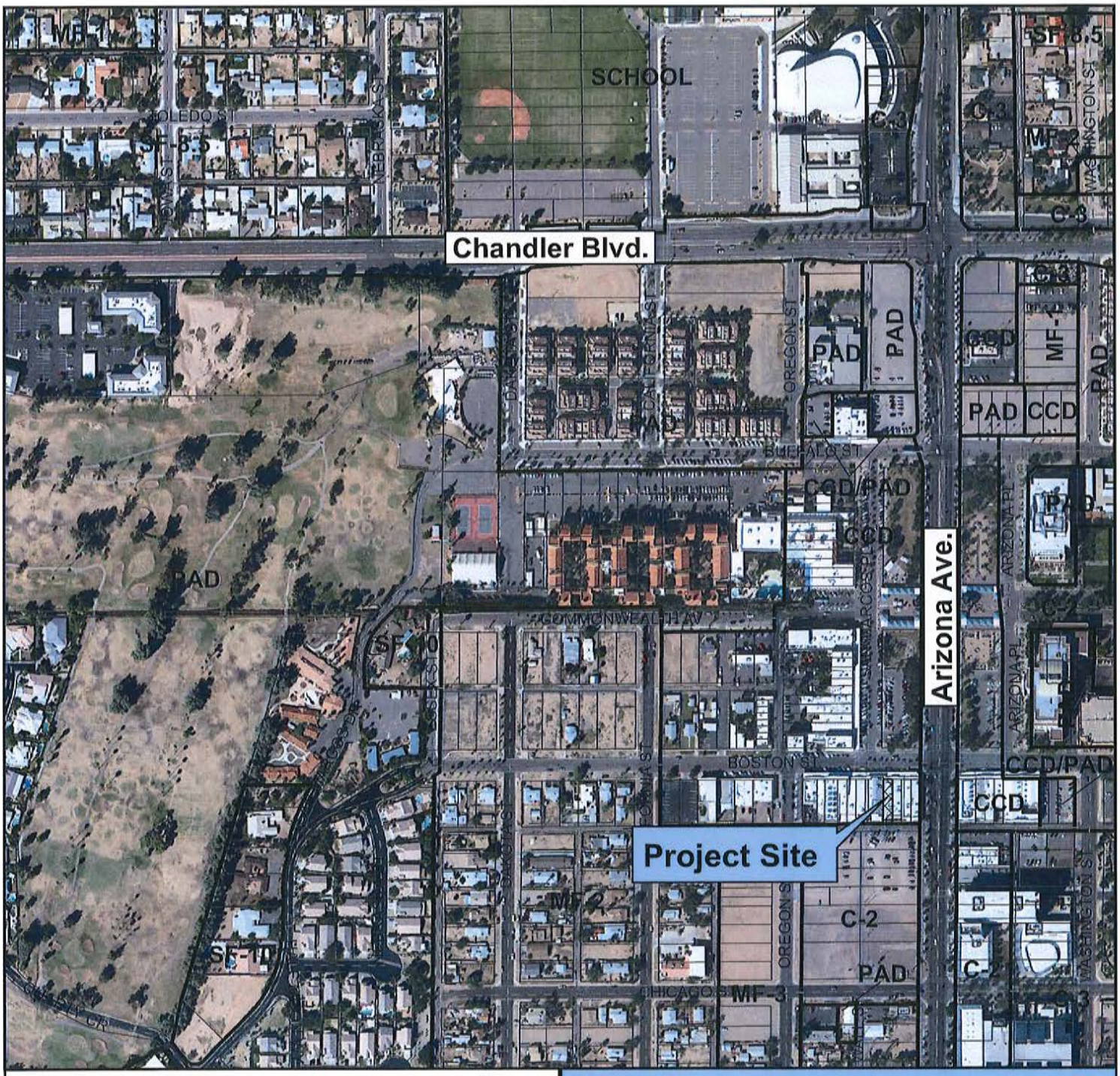
Vicinity Map



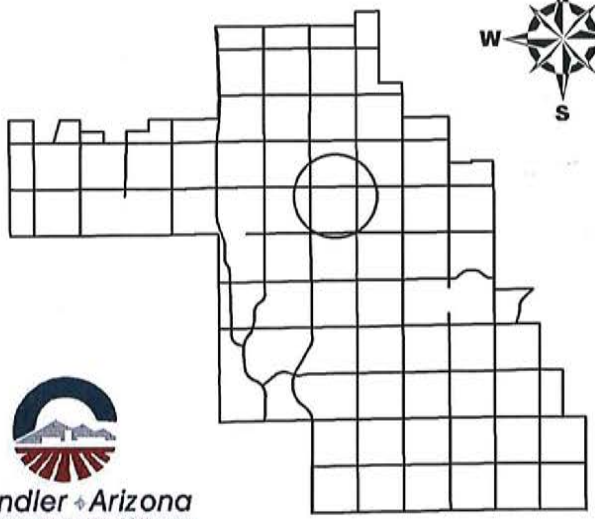
LUP14-0007

Bourbon Jacks Bar and Grill
Liquor Use Permit

CITY OF CHANDLER 1/13/2012



Vicinity Map



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LUP14-0007

Bourbon Jacks Bar and Grill
Liquor Use Permit

CITY OF CHANDLER 1/13/2012

PROJECT NARRATIVE
Liquor Use Permit

For its Project Narrative, in accordance with the requirements of the City of Chandler Liquor Use Permit Application, Howdy Partners, LLC dba Bourbon Jacks Bar & Grill states as follows:

Bourbon Jacks Bar & Grill is requesting approval of a Bar Use Permit to allow a series 6 liquor license with live entertainment on the premises and alcoholic beverage and food consumption on the outdoor fenced patio located at 11 West Boston Street, Suite 1 Chandler, AZ 85225 (West of Arizona Avenue on the South side of Boston Street). The existing location previously secured a use permit for a restaurant with alcohol consumption inside and on the fenced patio of the establishment. The restaurant liquor license shall be surrendered upon approval of the required Bar Use Permit allowing live entertainment and approval of a series 6 bar license for this location by the City of Chandler and the Arizona Department of Liquor.

Bourbon Jacks Bar & Grill will continue to sell food at the establishment with the series 6 bar license and will continue live entertainment on the premises as previously approved by the City of Chandler. Therefore, this application is requesting approval of a Liquor Use Permit allowing live entertainment with a series 6 bar license for on-site consumption of alcoholic beverages as well as food inside the establishment and within the fenced outdoor patio which meets the requirements of Arizona Department of Liquor as well as the City of Chandler (previously approved for the restaurant liquor license). Although a series 6 bar license does allow sealed package sales of alcoholic beverages, it is not our intent to sell package goods to go at this time. This type of license does have a minimum distance requirement of 300 feet from churches and schools. However, there are no churches or schools within 300 feet. The closest church is .9 miles (4,752 feet) from Bourbon Jacks Bar & Grill and the nearest school is approximately .5 miles (2,640 feet) away. The consumption of alcoholic beverages at this site will not negatively impact residents or other businesses within the surrounding area, as most adjacent businesses close by 6:00 p.m.

The historical building underwent interior modifications in 2012 to allow restaurant operations with on-site consumption of alcoholic beverages and opened to the public in September of the same year. As previously stipulated, Bourbon Jacks Bar & Grill will continue to offer restaurant services for Lunch and Dinner operating 7 days a week from 11:00 am until 10:00 pm, opening at 10:00 am on Saturday and Sunday for breakfast. There are no changes to the previously approved entertainment related activities which includes live music, outdoor music speakers, and televisions.

Bourbon Jacks Bar & Grill has a large existing clientele due to the quality of the food. The consumption of alcoholic beverages on premises will continue to complement the food service provided by the restaurant. A copy of the existing menu is attached. A small outdoor patio on the north side of the business will be used for food and alcohol consumption. The patio is contiguous with the restaurant and is enclosed with iron fencing. The existing landscaping produces a safe, inviting and aesthetically appealing dining area and was previously approved by the City of Chandler when the Restaurant liquor license use permit was obtained.

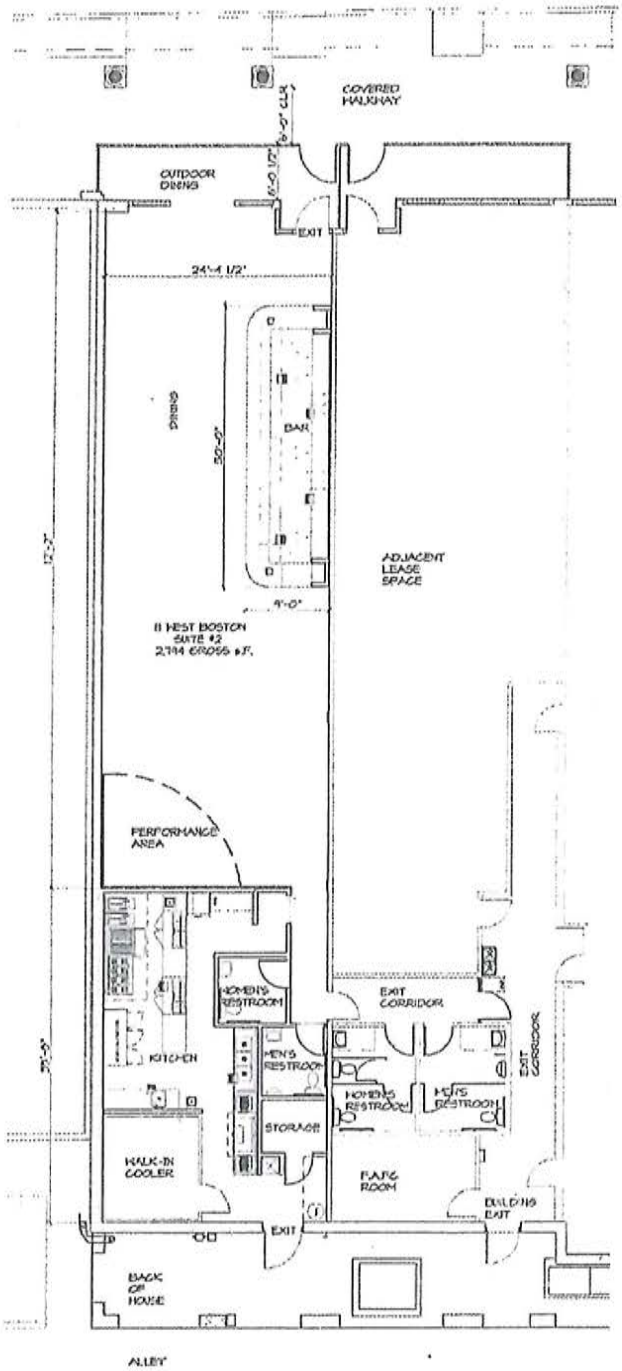
LUP14-0007 Narrative

Bourbon Jacks Bar & Grill will be closed every day by 2:00 am. Therefore, the issuance of a Use Permit will not disrupt the existing balance of daytime and nighttime uses and will not affect vehicular or pedestrian traffic in the adjacent parking lots as there is adequate parking and entrances/exits to the businesses, and properties on the southwest corner of South Arizona Avenue and West Boston Street.

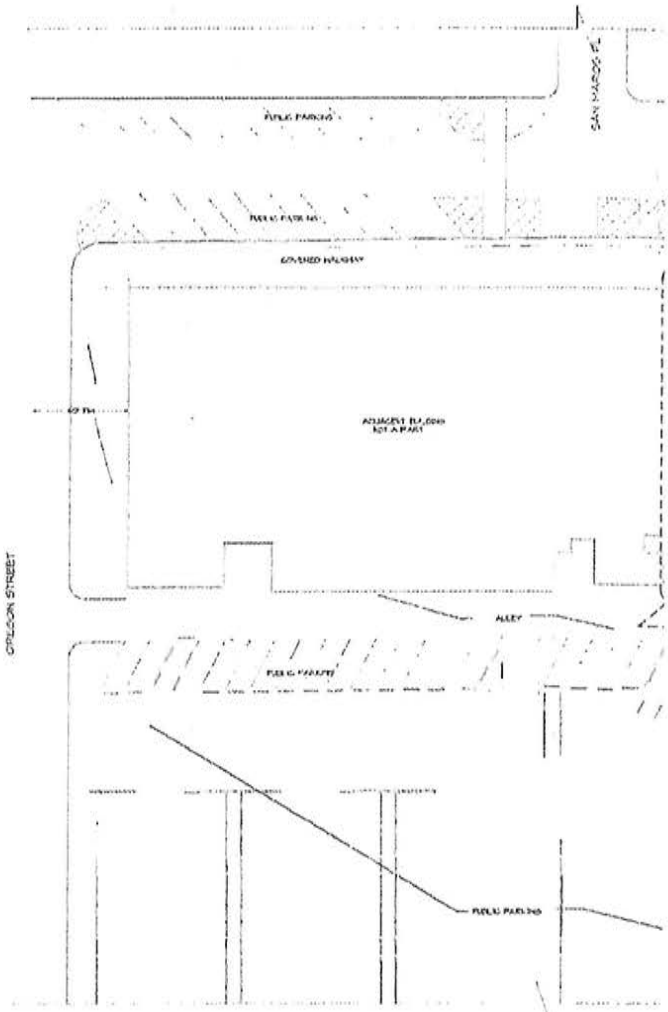
Respectfully,

Theresa J. Morse
Consultant
480-353-8035

UP14-2007 Narrative

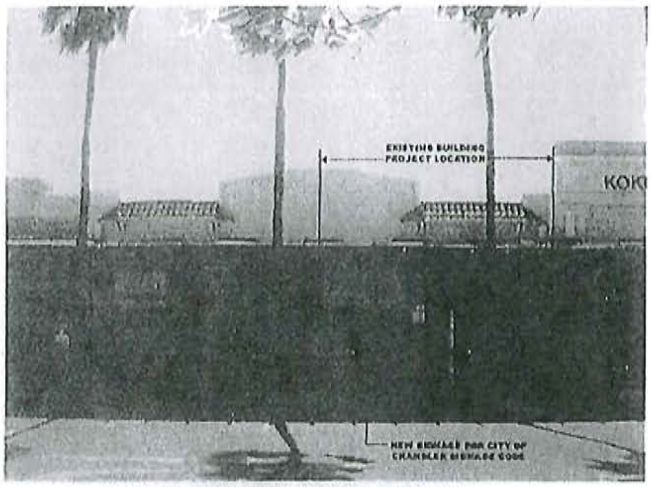


1 **FLOOR PLAN**
SCALE 1/8" = 1'-0"



2 **SITE PLAN**
SCALE 1" = 30'

NORTH



3 **PHOTO ELEVATION**
SCALE: NO SCALE

LUPM-0007 - Site Plan/Floor Plan