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JUL 26 2007



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*Where Values Make The Difference*

**MEMORANDUM**

**Planning & Development - CC Memo No. 07-174**

**DATE:** JULY 19, 2007

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
for DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR

**FROM:** BOB WEWORSKI, PLANNING MANAGER

**SUBJECT:** UP07-0053 SAN TAN BREWING COMPANY

**Request:** Use Permit approval for an extension of premises to sell liquor  
(Series 12 Restaurant License and Series 3 Domestic Brewery)

**Location:** 8 South San Marcos Place

**Applicant:** Anthony Canecchia

**RECOMMENDATION**

The request is for Use Permit approval for an extension of premises to sell liquor (Series 12 Restaurant License and Series 3 Domestic Brewery) within an outdoor patio area of a new restaurant. Planning Commission and Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval subject to conditions.

**BACKGROUND**

The subject site is located at the southwest corner of San Marcos Place and Commonwealth Avenue within Historic Downtown Chandler. The building is currently undergoing exterior and interior renovations. A two-story building addition to the west along Commonwealth is currently under construction. The restaurant plans to complete construction and open for business by August 2007. The front entrance is covered by a pedestrian colonnade as part of the Downtown square on San Marcos Place. The building is connected to the south with an office building and a series of in-line retail shops and restaurants. Directly to the east is public street parking and A.J. Chandler Park. To the north is the San Marcos Resort Hotel. Images Salon occupies the other space within the building at the site's west end.

There will be an approximate 650 sq. ft. permanent outdoor patio area at the building's north side along Commonwealth Avenue and an approximate 400 sq. ft. temporary and special events patio along San Marcos Place. A 42" high wrought iron fence railing will be installed around both patio perimeters, with the San Marcos Place patio fence railing to be removed when not in use.

A recently adopted City initiated code amendment allows for the consideration of liquor sales in the Downtown public areas under a Use Permit. As such, this Use Permit request is for an extension of premises to include the patio and allow alcohol sales. The patio improvement will comply with minimum pedestrian circulation clearances and other requirements from the code amendment. A minimum six ft. clearance will need to be maintained along the San Marcos Place patio between the fence enclosure required and the inside face of any column, street light, street sign, traffic signal pole, curb line, utility equipment box, or other street fixture, to allow unobstructed pedestrian use of the remaining public sidewalk. Since the right-of-way is being reconstructed at Commonwealth Avenue, the minimum clearance may be reduced to five ft., as identified within the code amendment. Compliance with the applicable provisions of the Americans with Disabilities Act (ADA) must be maintained at all times within the adjoining public street right-of-way outside of the fence enclosure.

The permanent outdoor patio along Commonwealth Avenue will provide seating for approximately 50 patrons, including 14 bar stools. A roll up door provides access from the restaurant to the patio. A trellis will extend over the patio space and along the building's north side. A misting system will cool the patio during the summer months and heat lamps will heat the space during the winter. Background music is proposed to complement a future Downtown colonnade music system. Occasional live music is proposed for the patio that is not intended to disrupt neighboring businesses.

The temporary and special events patio along San Marcos Place will be used during the initial business opening until the other patio and Commonwealth Street improvements are complete and during City related special events. It is anticipated that the patio may be used on a limited basis up to 12 times per year for City related events such as the Downtown Jazz Festival and Classic Car event. The patio railing will be "indented" approximately two feet from the both ends of the building front to allow for at least a six foot pedestrian clearance along the walkway. The patio fence railing will be removed when not in use.

San Tan Brewing Company features a restaurant space, bar area, kitchen, brewing tanks, office and storage, and outdoor patios. The subject building space is approximately 5,096 sq. ft. The bar area along the north wall includes windows for future outdoor bar service for a limited amount of patrons. Tanks for beer production are displayed behind glass panels. Approximately 1,400 sq. ft. will be utilized for the main dining area, and 500 sq. ft. for the bar area. The restaurant interior space will provide seating for approximately 75 patrons. The business will be open seven days a week from 11 a.m. to 2 a.m. and will have 40-50 employees.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. The establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages. A Series 3 Domestic Microbrewery License allows

beer to be produced or manufactured on premises for consumption on or off the premises, and sales and deliveries of beer to persons licensed to sell beer.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

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

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A description of the Use Permit request was advertised in the newspaper.
- An orange 11" X 17" placard public hearing sign was posted on the property.
- The Police Department has been informed of the application and has responded with no concerns.
- A neighborhood meeting, a Downtown Chandler Community Partnership (DCCP) briefing, and a Downtown Merchant's meeting was held earlier in the year during the original Use Permit application that included representations for the outdoor patio. All attendees expressed support of the application.

As of the writing of this memo, Staff has received no calls or letters of opposition to the Use Permit request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 7    Opposed: 0

### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of the Use Permit subject to the following conditions:

1. The Use Permit is granted for an extension of premises for a Series 3 and Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. 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.
3. Any substantial change in the plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of a Use Permit.
4. The Use Permit is non-transferable to other store locations.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation with a minimum six ft. clearance maintained along San Marcos Place and minimum five ft. clearance along Commonwealth Avenue.

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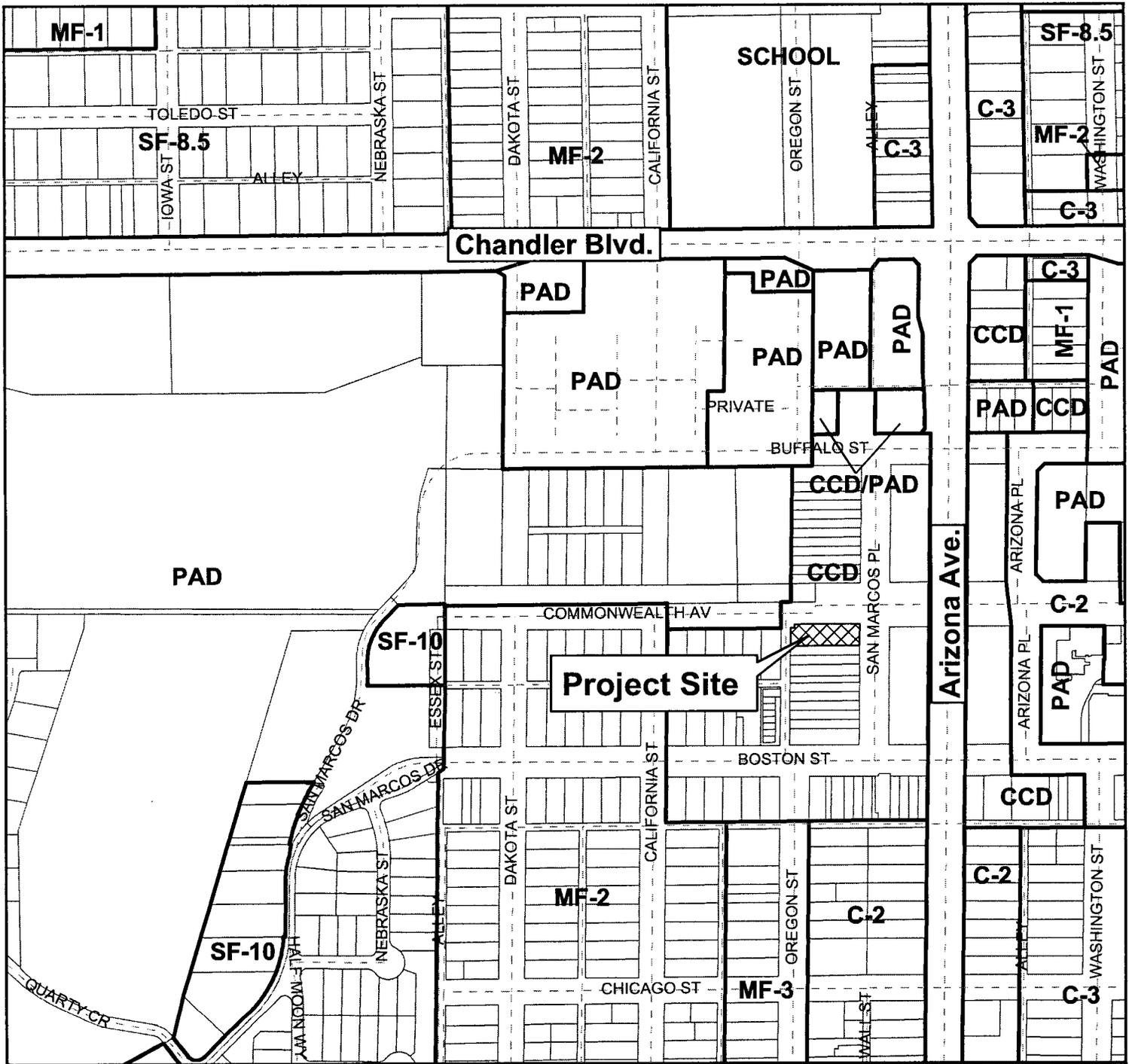
Page 4 of 4

**PROPOSED MOTION**

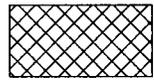
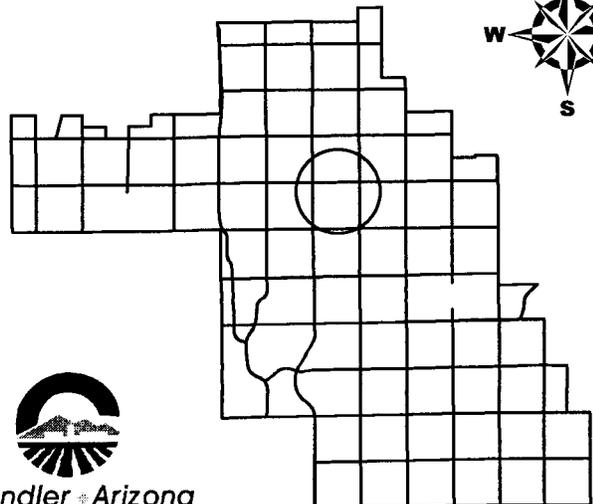
Move to approve UP07-0053 SAN TAN BREWING COMPANY, Use Permit for extension of premises, subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative



## Vicinity Map



UP07-0053

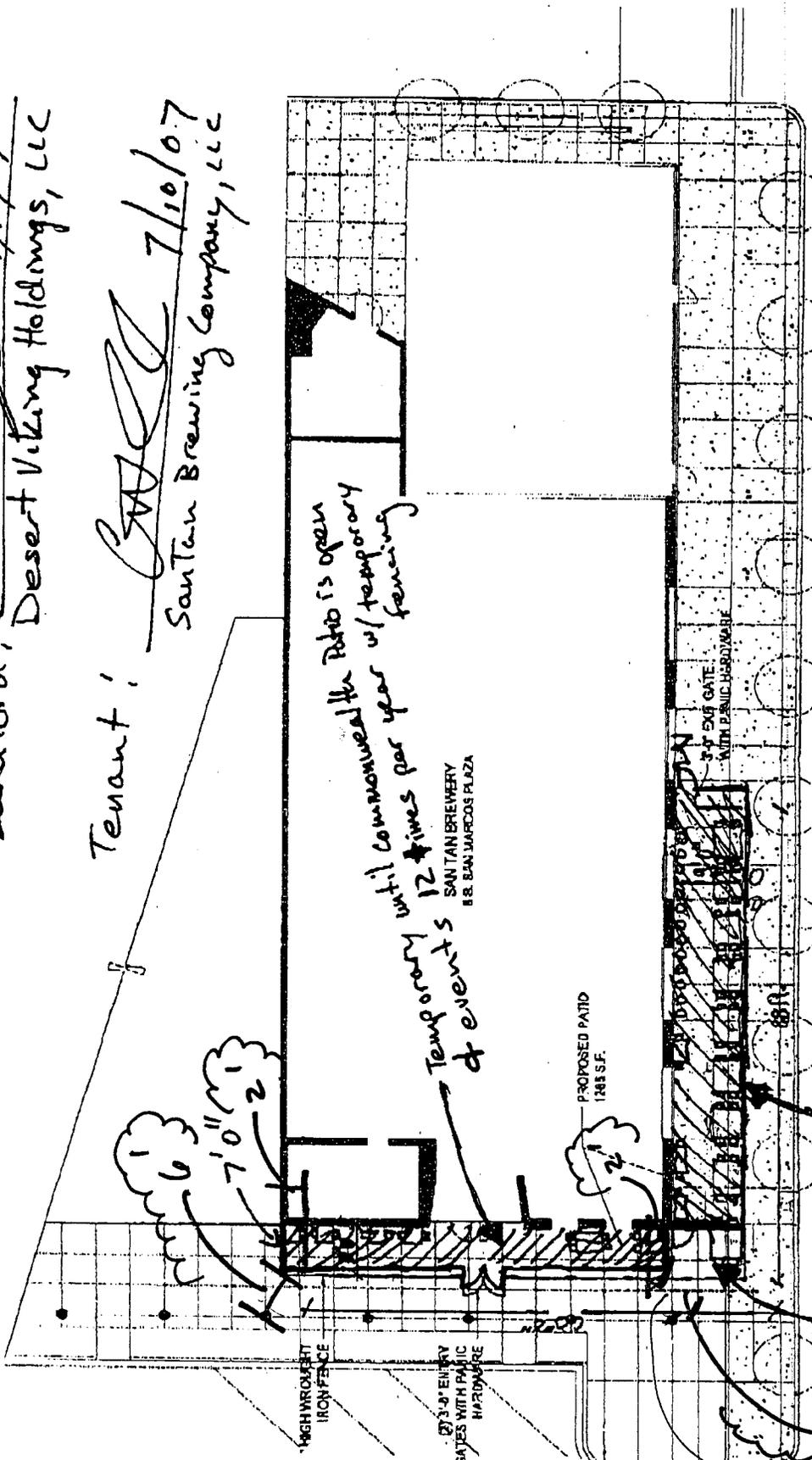
San Tan Brewing Company, LLC



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Where Values Make The Difference

Landlord:  7/10/07  
Desert Viking Holdings, LLC

Tenant:  7/10/07  
Santan Brewing Company, LLC



# SAN MARCOS PLACE

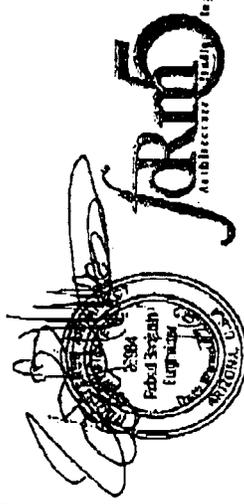
001  
P. 1

No. 4680

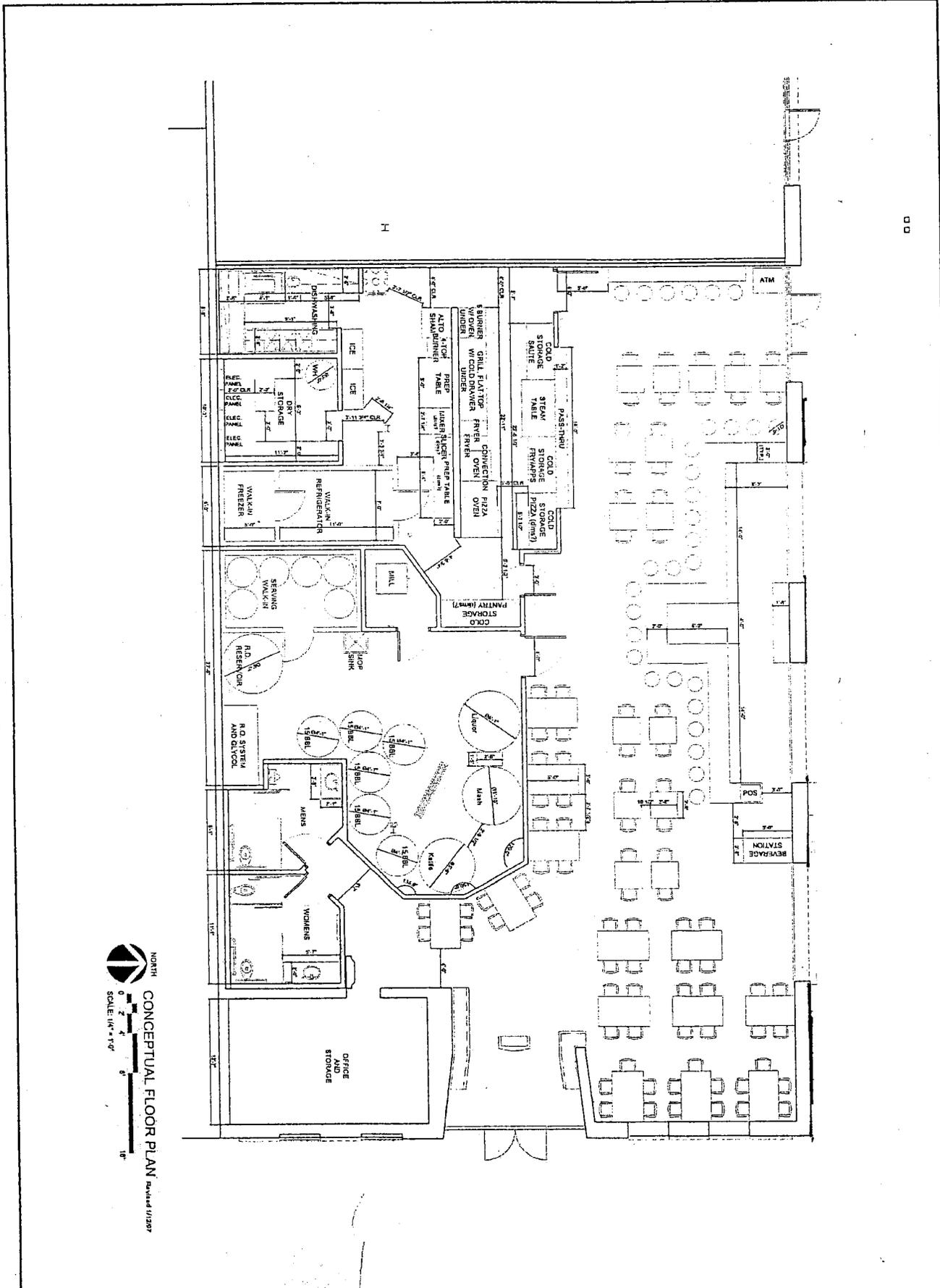
DESERT VIKING

07/10/2007 14:33 FAX 4806593843  
Jul. 10. 2007 10:55AM

**COMMON WEALTH**  
Permanent  
Area  
(Commonwealth Patio)



145 West Main Street, Suite 201  
Mesa, Arizona 85201  
Tel: 480.843.2376  
Fax: 480.843.1075




 NORTH  
 0 2 4 8 16  
 CONCEPTUAL FLOOR PLAN Revised 01/2007  
 SCALE: 1/4" = 1'-0"

Sheet	of
1	1
Project No.	San Tan Brewery
Date	1/06
Scale	1/4" = 1'-0"

**SAN TAN BREWERY**  
 8 South San Marcos Place  
 Chandler, AZ 85224



106 West Main Street, Suite 201  
 Mesa, Arizona 85201  
 Tel: 480.848.3375  
 Fax: 480.848.1075

# Use Permit Extension of Premises

## SanTan Brewing Company, LLC

SanTan Brewing Company, LLC (SanTan) wishes to extend the approved Usage at 8 S. San Marcos Pl. in the Historic Downtown and use 650 square feet of Patio space on the North side of the property. Façade renovations have been approved and are being undertaken by the property owner and landlord, Desert Viking Holdings. The Patio will be covered by an open Trellis and cooled by a Reverse Osmosis treated water Misting System in the summer months. Heat lamps will be used to warm the area in the winter months. Area music will be installed that will compliment the the proposed future Collonade Muzak System currently being sought by the DCCP( Downtown Chandler Community Partnership). This additional 650 square feet will be used to extend SanTan's ability to serve and entertain. Any live entertainment will be held in a tasteful and complimentary manner which will respect our neighboring business owners and their hours of operation. A Wrought Iron fence will be installed around the perimeter of the area in accordance with State and City laws. SanTan Brewing Company believes this extension will create a dynamic and exciting atmosphere unique to Downtown Chandler. Thank You for your time and consideration.

Anthony Canecchia

SanTan Brewing Company, LLC