

#43

SEP - 6 2007



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 07-201

DATE: AUGUST 17, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER ^{RP}
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR ^B
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR ^P
BOB WEWORSKI, PLANNING MANAGER ^W

FROM: BILL DERMODY, CITY PLANNER ^{BD}

SUBJECT: UP07-0043 WATERFRONT GRILL

Request: Use Permit approval to sell and serve all spirituous liquor within a bar and grill (Series 6 Bar License)

Location: 1949 W. Ray Road, Suites 11-13
Southeast corner of Ray and Dobson Roads

Applicant: Arizona Liquor Industry Consultants (Amy Nations)

RECOMMENDATION

The request is for Use Permit approval to sell and serve all spirituous liquor within a bar and grill (Series 6 Bar License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval for one year subject to conditions.

BACKGROUND

The subject property is located at the southeast corner of Ray and Dobson Roads within the Boardwalk at Andersen Springs Shopping Center. This center is zoned Planned Area Development (PAD) and is surrounded by a man-made lake and condominiums to the south and east, a shopping center to the north across Ray Road and single family homes to the west across Dobson Road.

A restaurant has occupied these suites since 1997, when the original Use Permit for a Series 12 Restaurant License was issued to Waterfront Grill, LLC. The original restaurant owner, with the name changed to Groovy Mundo Grill, was issued a Series 6 Bar License with a 1-year time

limit in September of 2000. The Series 6 License was issued with the understanding that the applicant required a Series 6 license for its catering business and for the operation of a full service restaurant and bar. The Use Permit excluded uses such as cocktail lounges and nightclubs. In October 2001, the restaurant was sold to the second owner who chose to emphasize the restaurant's menu and food service. The new owner, keeping the restaurant's name Groovy Mundo Grill, applied for and received a Series 12 Restaurant License without expiration. Ownership changed hands again in the years to follow with the third owner changing the restaurant's name back to the Waterfront Grill and offering a smaller bar menu, choosing later operating hours, and bringing in live entertainment. These changes altered the character of the business and the restaurant was no longer able to operate under the Series 12 License. Under a new (fourth) owner, the site received Use Permit approval for Series 6 Bar License Use Permit for one year in May 2006. The facility changed hands again on August 9, 2007.

The business has been operating for the past year as a restaurant and bar that offers catering, much as it had under the earlier Series 6 Bar License. The Series 6 License is required for off-premise consumption in conjunction with the catering business. Upon receiving the May 2006 approval, the owner at the time made several interior improvements and business changes to cause the facility to function more as a restaurant and less like a bar, including a reduction in pool tables (to only one), removal of a stage (to instead be used for seating), fresh paint, new furniture, revamping of the menu, elimination of live entertainment, and addition of lunch service. Over the next year, the owner retained many of these changes, but brought back live entertainment and eliminated lunch service. The current hours are 4:00 p.m. to 12:00 a.m. Sunday through Thursday and 4:00 p.m. to 2:00 a.m. Friday and Saturday. According to the applicant, 50% of the facility's total sales are in food and non-alcoholic beverages, compared to a range of 58-68% in early 2006. The new owner (as of August 9, 2007) has temporarily eliminated live entertainment pending this Use Permit approval in order to be compliant with the previously adopted conditions. After approval, the new owner plans to bring back live entertainment on a more limited scale including use of the stage for bands. The new owner is undertaking marketing efforts to expand the catering service, as well.

In 2006, there was substantial neighborhood opposition to a Series 6 license at this location because of fears of excessive noise and other problems. This opposition led to a condition that any addition of entertainment uses requires new Use Permit approval—the business had recently (under previous ownership) been in violation of this condition due to their addition of live music and other entertainment.

DISCUSSION

Planning Commission and Staff find that the proposed use fits well at the subject location within a shopping center, provided that any music/entertainment is properly managed so as to not disturb the adjacent residential properties. Concerns about such negative effects can be addressed through conditions prohibiting outdoor live entertainment and limiting noise emanating from the business. A one-year time limit is recommended to allow monitoring of the noise situation, especially given recent Use Permit noncompliance at this location.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 7, 2007 at the Downtown Community Center. No citizens attended.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- As of this writing, Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 6 Opposed: 0 Absent: 1 (Anderson)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval of UP07-0043 WATERFRONT GRILL subject to the following conditions:

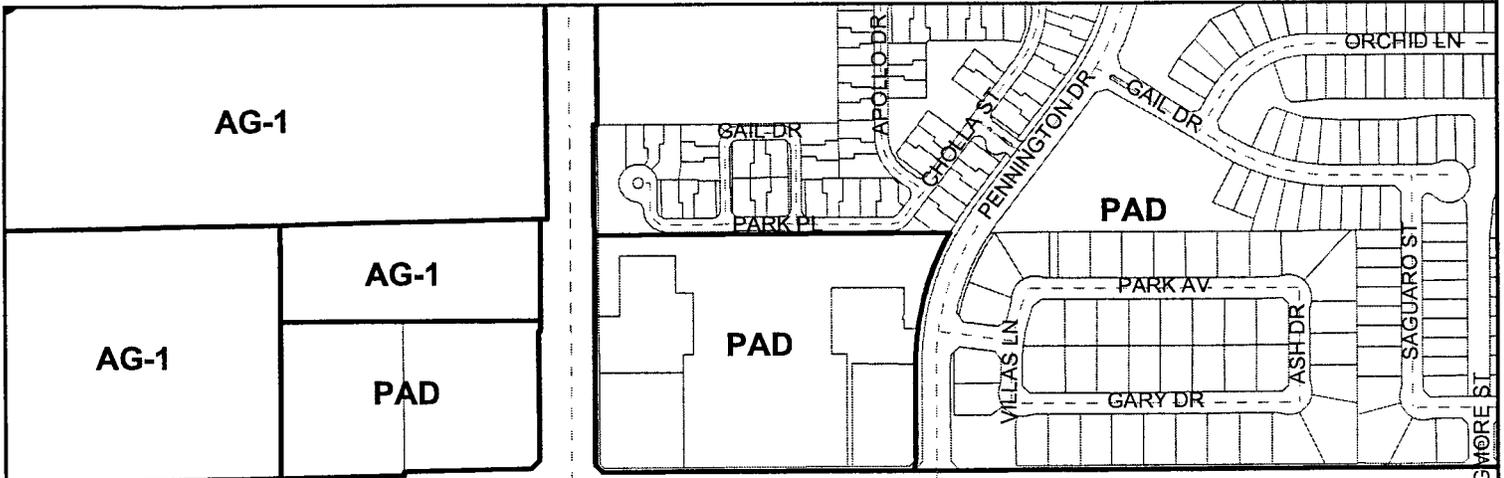
1. The Use Permit is granted for a Series 6 license only and any change of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the existing floor plan, including additional bar serving area, shall void the Use Permit and require new Use Permit application and approval.
3. Use Permit approval allowing the sale of alcohol under a Series 6 liquor license is subject to the operation of the establishment as a full-service restaurant and bar that also offers catering services. Conversion to a cocktail lounge, bar without dining accommodations, nightclub, or other like uses shall require a new Use Permit application and approval by the City Council.
4. The Use Permit is non-transferable to any other bar or restaurant location.
5. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
6. The sale of liquor for off-site consumption is permitted only in conjunction with the operation of the catering service. Alcohol sale that is to be taken from the establishment for off-site consumption by an individual is prohibited.
7. There shall be no outdoor live entertainment.
8. Noise shall be controlled so as to not cause a nuisance for nearby residences.

PROPOSED MOTION

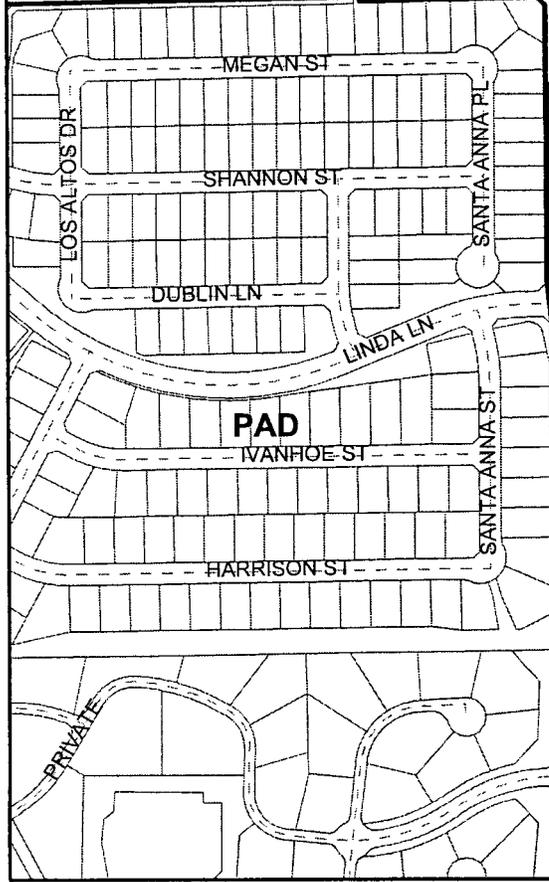
Move to approve UP07-0043 WATERFRONT GRILL Use Permit for alcohol sales subject to the conditions recommended by Planning Commission and Staff.

Attachments:

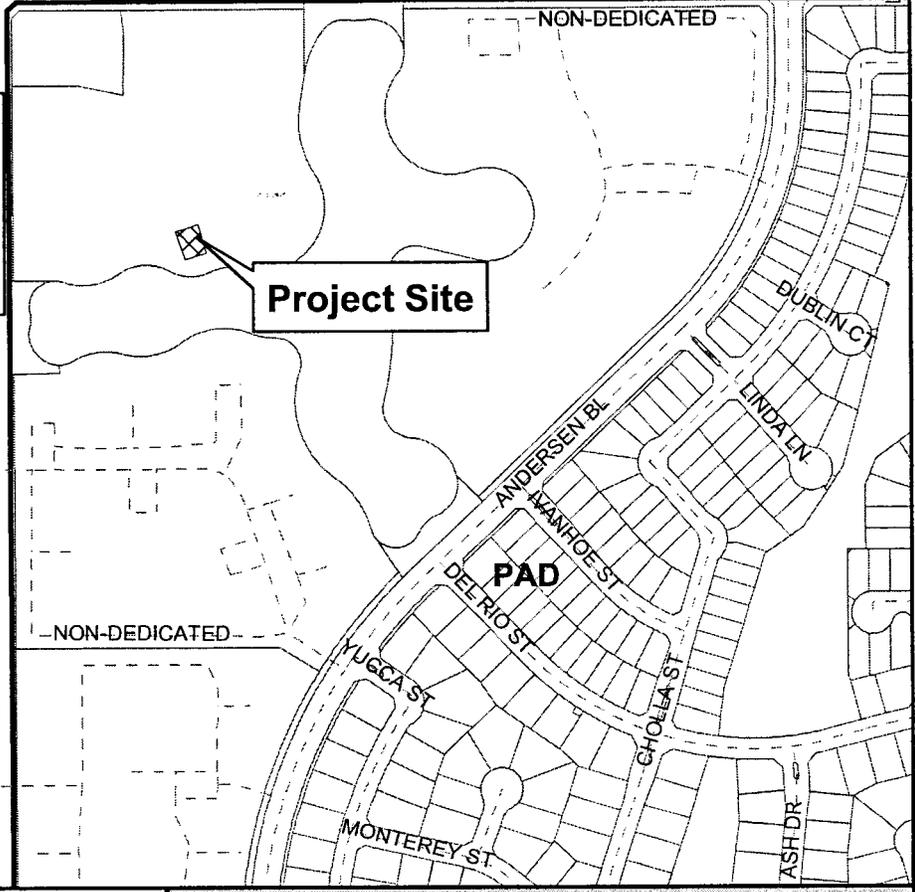
1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative
5. Menu
6. Catering Brochure



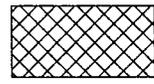
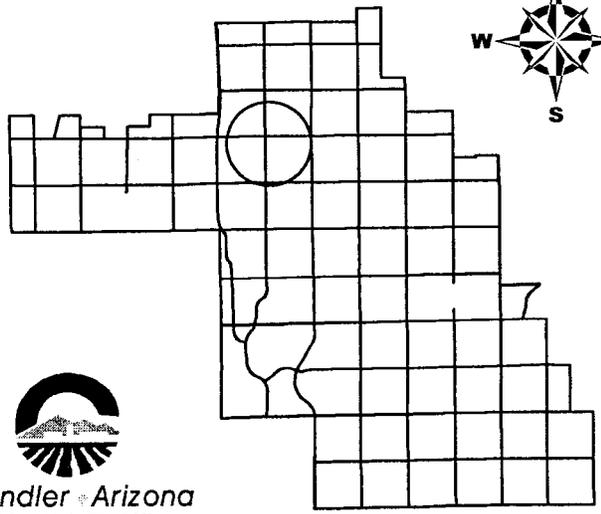
Ray Rd.



Dobson Rd.



Vicinity Map

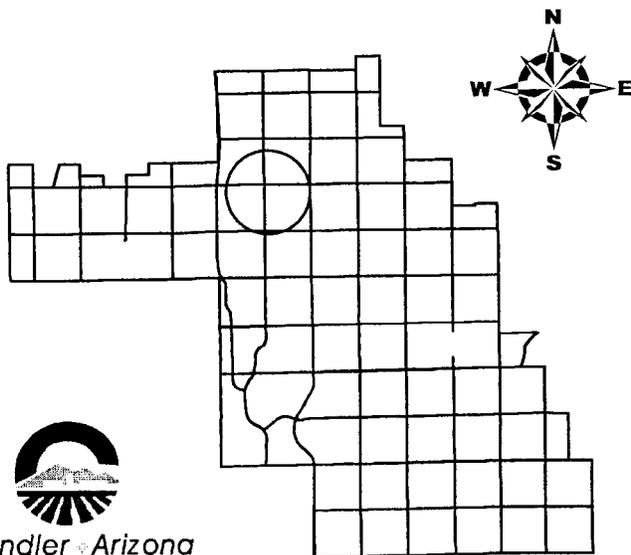


UP07-0043

**Waterfront Grill
Liquor Use Permit**



Vicinity Map



UP07-0043

**Waterfront Grill
Liquor Use Permit**



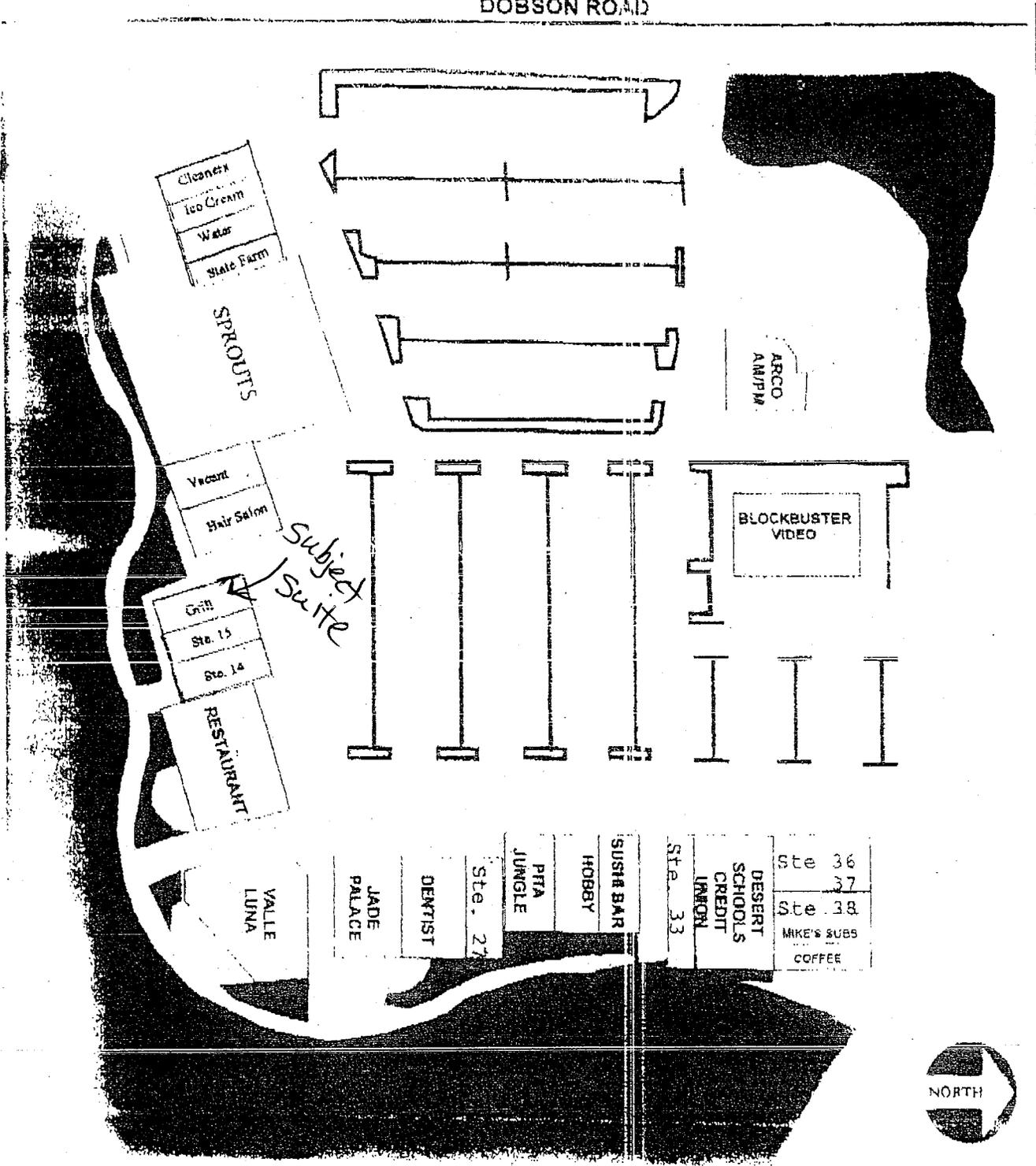
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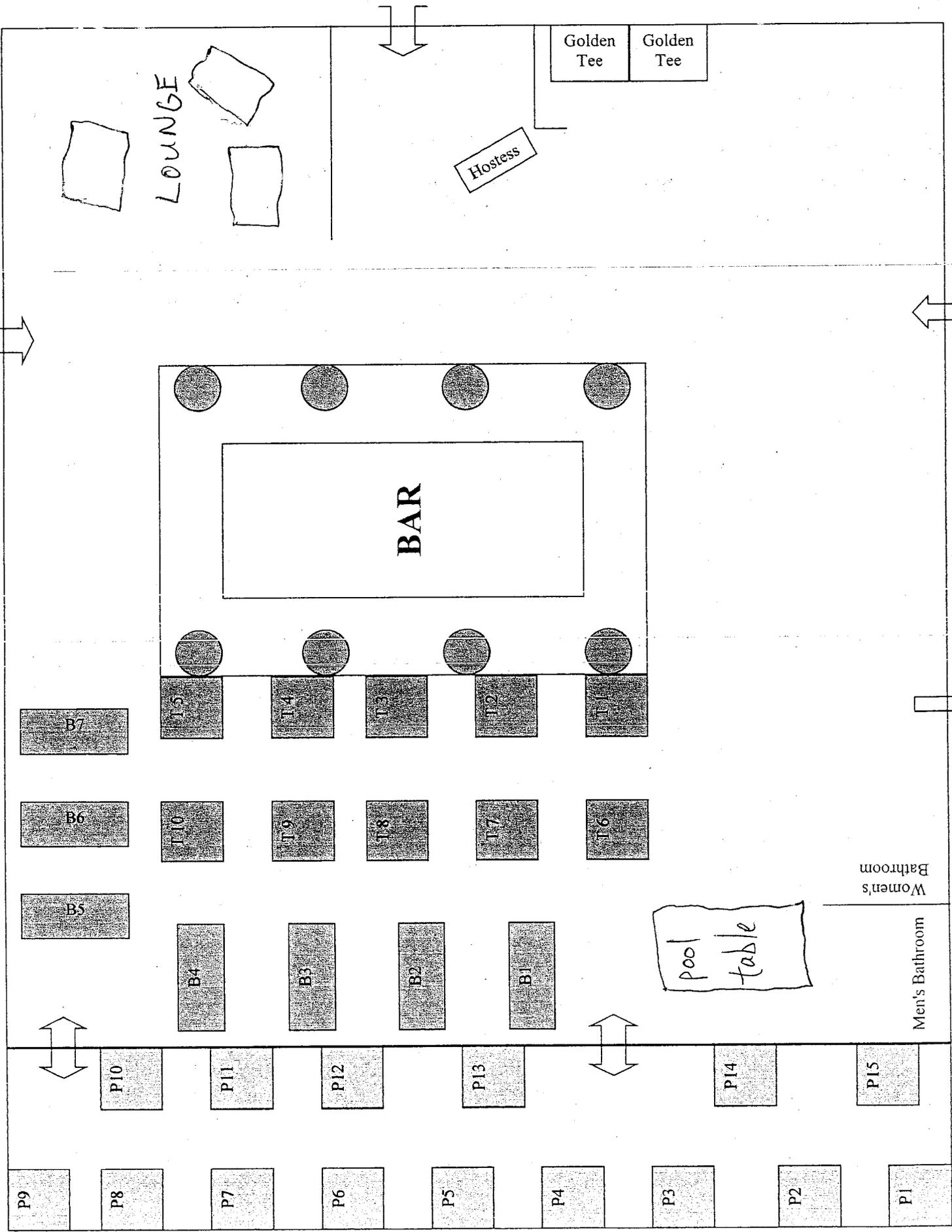
CITY OF CHANDLER 5/15/2007

EXHIBIT "A"

DOBSON ROAD

RAY ROAD





P.O. Box 2502
Chandler, Arizona 85244
(480) 730-2675 Phone (480) 730-2676 Fax



ARIZONA LIQUOR
INDUSTRY CONSULTANTS

City of Chandler Planning and Development
215 E. Buffalo Street
Chandler, Arizona 85225

May 11, 2007

Use Permit Narrative

This narrative is respectfully submitted for your consideration in the renewal of the Liquor Use Permit for a series 06 liquor license for 3 years.

We haven't made any structural changes inside or outside of the business. The Restaurant is 4200 square feet and the patio is 64 X 20. We will be open for business 11am to 12am Wednesday, Thursday & Sunday. Friday & Saturday from 11 am to 2 am. We are closed Mondays & Tuesdays. Our food percentage has been the same and we are trying to increase food sales with our new lunch hours. We currently employ 25 people. All of our employee's have been through state certified liquor law training classes. We have also made an agreement with our landlord that we will not sell packaged liquor to go.

It is our intention to serve the customers throughout the City of Chandler's growing industrial base and surrounding areas. We also hope to market our catering services both on-site and off-site to corporate and business clients for parties and corporate functions.

If you have any questions please do not hesitate to contact me.

Respectfully Submitted,

A handwritten signature in black ink that reads "Randy Nations". The signature is written in a cursive, flowing style.

Randy D. Nations
Agent

Party Trays and Luncheons Available

Full Catering (With custom menus)

Contact Jay Johari

480-732-0929



Sandwiches & Hamburgers

Grilled Chicken Filet & Avocado

Served on a toasted sesame bun with aged swiss cheese, lettuce, tomato, mayo and avocado. 7.95 Add bacon .50 Add mushrooms .50

Turkey Bacon Club

Served on a grilled sourdough bun, with lettuce, tomato, sprouts, bacon, aged Swiss cheese and chipotle mayonnaise 7.95

The Rueben

Served on Marble Rye bread piled high with thinly sliced corned beef, saurkraut, aged swiss cheese and Thousand Island Dressing. 7.95

Philly Cheesesteak

Served on a Toasted Hoagie Roll with your choice of American or Provolone cheese, sauteed green peppers, onions, and mushrooms. 8.95

California Turkey Wrap

Filled with sliced turkey, avocado, mixed field greens, sprouts, tomato, provolone cheese and bacon. Wrapped in a Spinach tortilla with your choice of dressing. 7.95

Buffalo Chicken Wrap

Stuffed with grilled chicken breast, lettuce, tomatoes, onions, and provolone cheese. Wrapped in a Spinach tortilla with our signature Buffalo Sauce. 7.95

Classic Hamburger

Classic 1/2 lb. hamburger patty served with tomatoes, lettuce, pickles, ketchup, mustard, and mayo. Served on a toasted sesame seed bun. 7.95
Add Cheese .50

Sandwiches & Hamburgers (continued)

Frisco Burger

1/2 lb hamburger patty, aged swiss cheese, pickles, grilled onions, thousand island dressing, lettuce, tomatoes. Served on a grilled sourdough bun. 8.95

Shroom & Swiss Burger

1/2 lb hamburger patty, smothered in mushrooms, onions, and aged swiss cheese. Served on a toasted sesame seed bun. 8.95

BBO Bacon Burger

1/2 lb hamburger patty, cheddar cheese, bacon, zesty BBO sauce and topped with beer battered fried onion rings. 8.95

The Waterfront Burger

Two half-pound patties, avocado, tomatoes, red onion and topped with bacon strips, provolone cheese and our special sauce. Served on a toasted sesame seed bun. ** Spicy ** 10.95

Chicken & Steak

Whiskey Sirloin

Grilled sirloin steak smothered in a whiskey apple sauce. Served with mashed potatoes and gravy and fresh steamed vegetables. 16.95

Lemon Herb Roasted Chicken

Two Chicken breasts topped with a light lemon garlic herb sauce. Served with rice pilaf and fresh steamed vegetables. 10.95

Fire Cracker Chicken

Two chicken breasts sauteed in a sweet chile sauce. Served with sauteed vegetables and rice pilaf. ** Spicy ** 10.95

Pizza & Pastas

Italian Four Cheese Pizza 7.95

Mozzarella, Romano, Asiago, and Parmesan cheeses
Pepperoni Add 1.00

Barbeque Chicken Pizza

Mozzarella Cheese, red onion, cilantro, chopped bbq chicken. 9.95

Grilled Sausage & Pepper Penne

Penne pasta with slices of grilled spicy Italian sausage, mild onions, red and yellow peppers in Marinara sauce. Topped with Parmesan cheese. Served with Penne pasta. 10.95

Chicken Piccata

Two sauced chicken breasts in a lemon caper broth. Served with mushrooms, capers and roasted artichoke hearts on a bed of Angel Hair pasta. 12.95

Waterfront Grill, 6940 West Ray Road, Suite 110, Chandler, AZ 85224. Phone (480) 732-0909. All prices are per person. Tax and gratuity extra.

Specialties

Fish & Chips (Fridays Only)

Golden beer battered fish fried and served with french fries and coleslaw. 9.95

Fresh Fish Tacos

Grilled flatbread filled with fresh grilled fish, cabbage, avocados, onions, and cilantro. Served with rice, sour cream, salsa and pico de gallo. 10.95

Grilled Honey and Jalapeno Glazed Salmon Filet

Fresh Salmon grilled with a honey jalapeno glaze. Served with fresh steamed vegetables and rice pilaf. 14.95

Waterfront Meatloaf

Thick slices of our, soon to be famous, meatloaf. Served with mashed garlic potatoes, gravy, and seasoned vegetables. 12.95

Desserts

Cookie Monster

Chocolate Chip cookie dough pie served a la mode in a skillet.

*This dish takes longer than 15 minutes to cook. 5.95

Giant Brownie Sandwich

Served with hot fudge, ice cream and homemade whipped cream. 5.95

Beverages

We proudly serve Coca-Cola products, Iced Tea, Coffee and Hot Tea 2.00

The Waterfront Grill, 6940 West Ray Road, Suite 110, Chandler, AZ 85224. Phone (480) 732-0909.

Contact Us Now!

We tailor services and facilities to meet your individual preferences.

Our Catering Manager and Executive Chef will assist you in designing a menu and selecting a style of service that will make your event one to long remember.

Select from our standard faire or work with us to create your custom menu.

Our professional catering staff can

provide you with:

- Elegant Receptions
- Buffet Dinner Service
- Sit-Down Table Service
- Complete Beverage Service

We look forward to being a part of your special day. We suggest you book your event 6 months to one year in advance to guarantee availability of services.

Facility Information:

To learn more about our facilities, set up an appointment or book an event contact:

Christy Johari

The Waterfront Chandler
1949 W Ray Rd, Ste 11

Chandler, AZ 85224

(480) 732-0929

Catering Information:

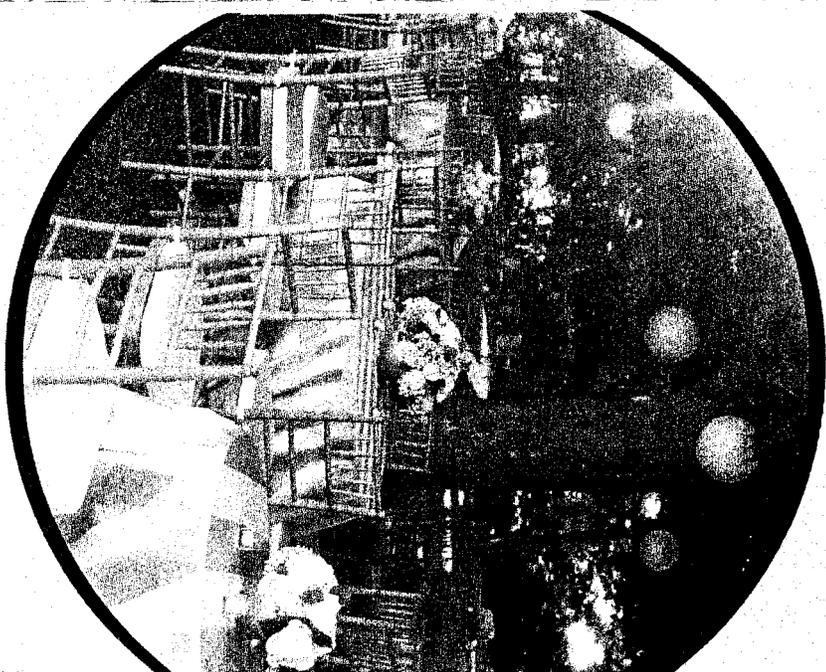
To obtain a menu or discuss menu options contact:

Chef Jason

480-732-0929

Our Daily House Menu is also available on our website;

www.thewaterfrontaz.com



Plan Your Special Day With Us

Waterfront Catering

Waterfront Dining Services offers a fresh and innovative approach to catering. We can arrange any event from receptions, gala functions to barbecue picnics. We offer elegance and ingenuity at an affordable price.

This catering brochure was created to serve as a guide to help you in planning your special event.

Our capabilities are endless. Our staff of catering professionals is available to help you in planning the perfect menu for your special event. Please feel free to contact us as we look forward to satisfying all your catering needs.

For more information, or to place your order, please contact:

Chef Jason
480-732-0929

You want to impress your guests with great food and great service.....

You want to know you are getting the best deal for your money.....

But most of all, you want to enjoy your event without worrying that the details will be handled.....

That's what we do!

Contact one of our Event Coordinators and let us show you how we can turn your next event into a masterpiece!

Executive Chef, Jason White, has combined his many years of experience in the restaurant & hospitality industry, as Executive Chef and Chef Garde Manger, to create the high quality standards of Waterfront Catering. Devoting much of his career to fine tuning the art of food presentation, Chef Jason presents a most palatable and elaborate food display.

Whatever & More Events

Whatever & More Events is the exclusive event coordinator for The Waterfront Chandler & Waterfront Catering. They specialize in themed events, and can help you make every detail of your dream day come true.

To schedule a free consultation, contact Event Coordinator & Cake Decorator; Christy Johari
480-254-1252

