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NOV 19 2009



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Where Values Make The Difference

MEMORANDUM

Planning & Development - CC Memo No. 09-141

DATE: NOVEMBER 5, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP09-1009 THE BOATZHOUSE RESTAURANT

Request: Use Permit approval to allow the sale of alcohol (Series 12 Restaurant License) for on-premise consumption only within a new restaurant

Location: 5070 S. Gilbert Road, Ste. 400,
Southwest corner of Gilbert and Chandler Heights Roads

Applicant: David Boatz, Owner

RECOMMENDATION

The request is for Use Permit approval to allow the sale of alcohol (Series 12 Restaurant License) for on-premise consumption only within a new restaurant. Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval with conditions.

BACKGROUND

The subject site is located at the southwest corner of Gilbert and Chandler Heights Roads, within the Shoppes at Riggs Ranch commercial shopping center. The subject site is located in a suite within an inline shops space. An M&I Bank, CVS Pharmacy, and Auto Zone are located north and east of the subject site. Directly south and west of the commercial center is the Riggs Ranch Meadows single-family residential neighborhood.

The subject site is an approximate 2,300 square foot suite within a larger 6,000 square foot inline shops building. The dining area is approximately 950 square feet and can accommodate approximately 60 patrons. The bar area is approximately 160 square feet and can accommodate 14 patrons. The kitchen area is approximately 581 square feet. An outdoor patio is provided, and is approximately 408 square feet and seats 12. The outdoor patio is located in a breezeway between two shop spaces. The breezeway is approximately 33-feet wide; in which the outdoor patio will encroach 12-feet, leaving a 21-foot wide unencumbered area. The restaurant will be open seven days a week from 10:30 a.m. to 9 p.m., and is estimating a need for 5-7 employees.

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

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- 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.
- A neighborhood meeting was held on Tuesday, October 27, 2009. No neighbors were in attendance.

A neighbor attended the Commission meeting and raised concerns regarding the upkeep of a gate that allows pedestrian access between the commercial site and the Riggs Ranch Meadows neighborhood, and with the potential for the area to allow trouble to occur. Staff informed the neighbor that the HOA of the subdivision would be the responsible party for the upkeep of the fence. Staff also discussed that when the subdivision was designed with the commercial corner that the access point was intentionally designed to allow pedestrian movement between the two developments. Staff also explained that as more users move into the commercial development there will be more "eyes" in the area, which tends to discourage destructive activities from occurring. The neighbor was satisfied with the information and will contact the HOA regarding the upkeep of the fence. The neighbor supports the request.

At the time of this writing, Staff has not received any phone calls or letters opposed to this application.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

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

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of LUP09-1009 THE BOATHOUSE RESTAURANT, 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.

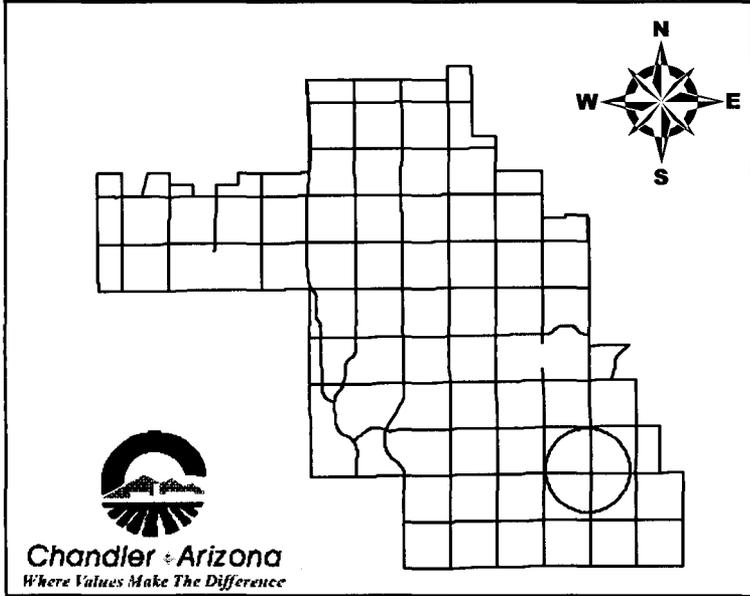
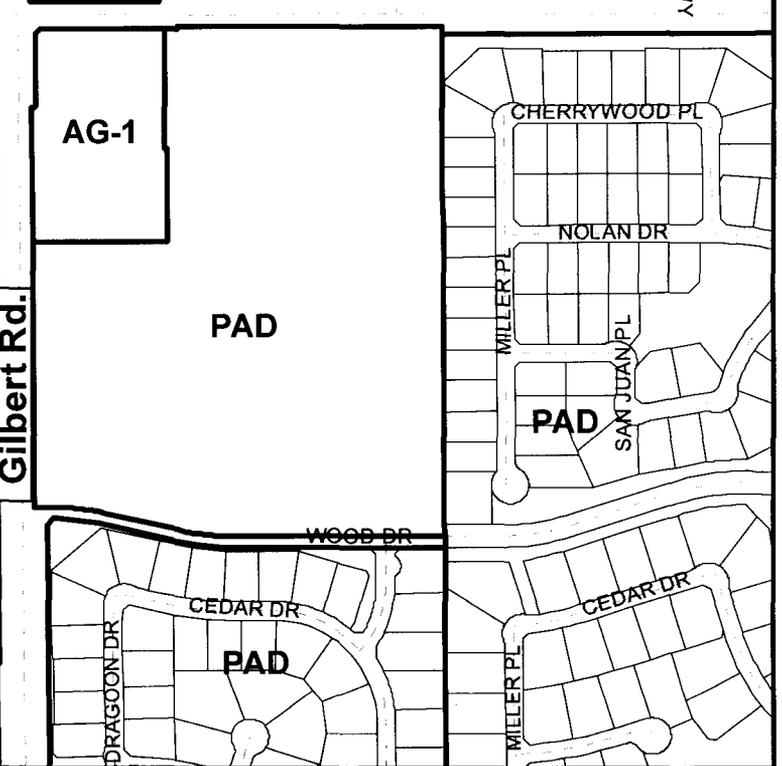
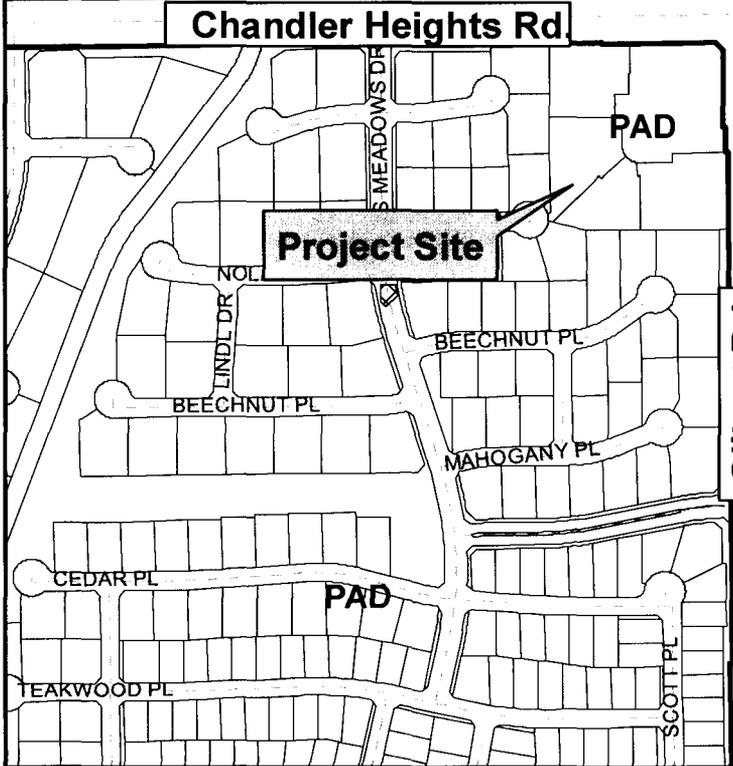
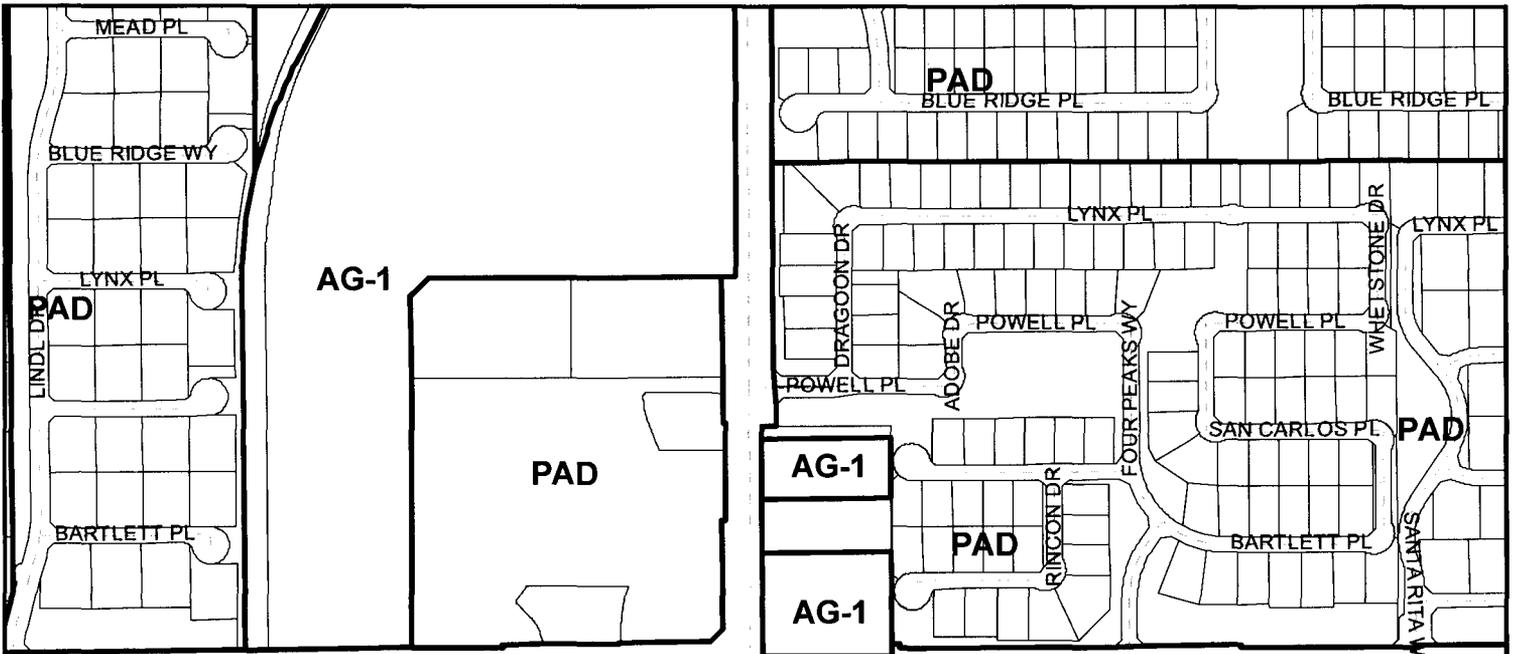
2. The Use Permit is non-transferable to other store locations.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
6. 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 re-application to and approval by Council.

PROPOSED MOTION

Move to approve LUP09-1009 THE BOATZHOUSE RESTAURANT, subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Site Plan
3. Floor Plan



Vicinity Map

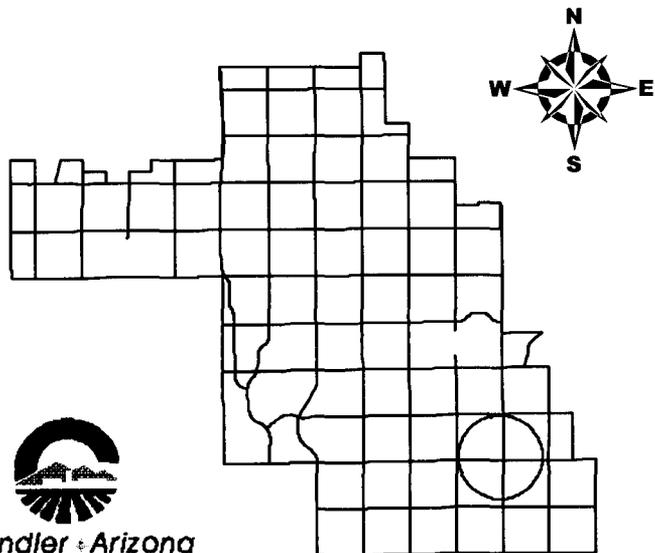
LUP09-1009

**The Boatzhouse Restaurant
Liquor Use Permit**

CITY OF CHANDLER 10/05/2009



Vicinity Map



LUP09-1009

**The Boatzhouse Restaurant
Liquor Use Permit**

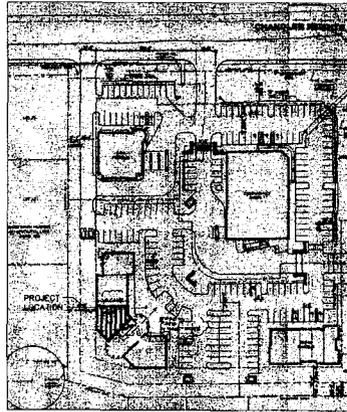


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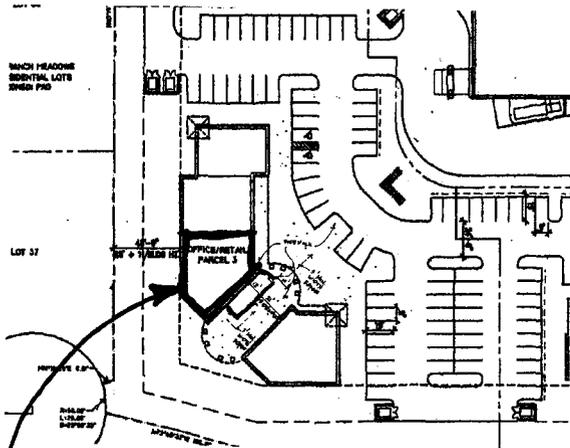
CITY OF CHANDLER 10/05/2009



VICINITY MAP
SCALE: NTS



SITE PLAN
SCALE: NTS



ENLARGED SITE PLAN



CHANDLER FIRE DEPARTMENT
GENERAL NOTES TO THE CONTRACTOR



All buildings (except Group R, Division 1 and Group U1 occupancies) shall be provided with an approved automatic fire sprinkler system installed in accordance with USC Standard 38-1, NFPA 13, and City of Chandler Fire Department standards.

Fire protection systems shall be installed or modified by a contractor licensed to perform such work by the State of Arizona, and who also holds a current valid permit from the Chandler Fire Department to conduct such work within the City of Chandler.

Fire Department Connections (FDC's) for NFPA 13 and USC Standard 38-1 fire sprinkler systems shall be 2 and 1/2" female threads with National Standard Threads. FDC's for NFPA 13D and 13R sprinkler systems shall be single female threads with 1 and 1/2" National Standard Threads.

All hose valve outlets and standpipe hose discharges for Fire Department use shall be 2 and 1/2" National Standard threads. No hose is to be attached.

Automatic sprinkler systems shall be supervised by an approved central, proprietary or remote signal station service; or an audible signal shall sound at a constantly attended location when the number of sprinkler heads is 20 or more in Group I, Division 1 occupancies or 100 or more sprinkler heads in all other occupancies.

Fire Department vehicle access roadways shall be provided and maintained throughout construction. Temporary access roads shall be a minimum 14' clear width with 6" compacted A.B. No trucking system Fire Access roads. Required water flow shall be provided and maintained throughout construction. Prior to any construction being brought on site, all hydrants shall be approved and functional. Permanent fire vehicle access roadways shall be 20' clear width, all weather surface.

One set of stamped, approved drawings shall be maintained on-site and made available to City inspectors on demand.

The contractor shall provide the City Inspector with copy of the "Contractor's Manual and Test Certificate For Aboveground Piping" in accordance with NFPA 13; and the "Construction Manual & Test Certificate for Underground Piping" in accordance with NFPA 34; and the "Certificate of Compliance" for fire alarm systems in accordance with NFPA 72, upon successful completion of the system test and prior to City acceptance of the system.

General Installation Practices

Modifications to existing systems affecting 20 or more heads, 40 or more feet of pipe of 40 or more pipe joints require plans submitted to the Development Services Department. Plans must be reviewed, approved and on site prior to the Certificate of Occupancy inspection.

HEADS	BRANDLER SYSTEM TEST REQUIRED
9 or <	A visual inspection only is required
10 - 19	50 psi above normal static pressure for 15 minutes
20 or >	50 psi above normal static pressure for 2 hours
All new systems	Per NFPA 13

Project Data:

Project: THE BOATHOUSE RESTAURANT
5070 S. GILBERT RD.
CHANDLER, AZ
Occupancy Group: A-3
Square Footage: 2307 S.F.
Occupant Load: DINING AREA 965/15-65
KITCHEN = 5
RATIO 444/15-30
TOTAL OCCUPANT LOAD = 100
Zoning: C1
Building Code: 2006 IBC
2006 IMC
2006 IFBC
2006 IPC
2005 NBC
2006 IFC
2006 IEBC
ARIZONA'S WITH DISABILITIES ACT A.R.S. 41-1491.37(ADA/ADAAG)

Sheet Index:

- A1 Site Plan
- A2 Floor Plan
- A3 Rafter/Ceiling
- M1 Specifications
- P1 Waste Plan
- P2 Hot and Cold Water Plan
- P3 Gas Plan
- M2 Mechanical Details
- E1 Power Plan
- E2 One Line
- E3 Lighting Plan
- A2.1 Details and Notes

NOTES:
SOWS REQUIRE SEPARATE PERMIT.

John M. Bowers, P.E.

773 E. Ivanhoe St.
Chandler, AZ 85225
Phone: 480-367-8661
Fax: call for number

Aug. 5, 2009

City of Chandler, AZ
Development Services Department

Re: Boats Restaurant
5070 S. Gilbert Road

Dear Building Official,

This letter is to certify that I have reviewed the roof structure is adequate to support these additional loads:

New evaporative cooler, 600 pounds

New HVAC unit, 750 pounds

New hood exhaust fan, 250 pounds

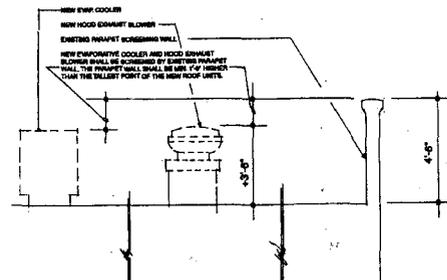
New canopy hood, 250 pounds

No additional structural modifications is necessary other than the standard hardware under blocking to support these loads.

If there are any questions regarding the above, please contact me at (602) 367-8661.

Sincerely,

John M. Bowers, P.E.



SCREENING WALL DETAIL

Tenant Improvement For:

THE BOATHOUSE RESTAURANT

5070 S. GILBERT RD., SUITE #4
CHANDLER, AZ 85249

NO.	REVISION / DATE	BY



3948 North Ariolas Ct. Mesa, Arizona 8
T: 502-882-5608 F: 480-216-8360



SITE PLAN

SCALE	DATE	A1
DATE	DATE	
REV. NO.	PROJECT	

SUBJECT SITE

