



Chandler · Arizona
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MEMORANDUM

Transportation & Development - PZ Memo No. 11-006

DATE: JANUARY 10, 2011

TO: PLANNING AND ZONING COMMISSION

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

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP10-0043 THE BOATZHOUSE RESTAURANT

Request: Use Permit extension 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: Robert Tomfohr, Owner

RECOMMENDATION

The request is for Use Permit extension approval to continue to allow the sale of alcohol (Series 12 Restaurant License) for on-premise consumption only within an existing restaurant and outdoor patio. Staff, upon finding consistency with the General Plan and PAD zoning, recommends 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 located in the rear southwest corner of the shopping center. An M&I Bank, CVS Pharmacy, and Auto Zone are located north and east of the subject site. Surrounding the commercial center to the west and south 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, the outdoor patio will encroach 12-feet into the breezeway, leaving a 21-foot wide unencumbered area. The restaurant is open seven days a week; Monday from 4 p.m. to 9 p.m., Tuesday through Thursday 11 a.m. to 9 p.m., Friday and Saturday 11 a.m. to 10 p.m., and on Sunday 12 p.m. to 8 p.m.

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.

DICSUSSION

When the initial Use Permit request came through in late 2009, there was a concern expressed by a nearby resident regarding a pedestrian gate connecting the surrounding residential subdivision with the commercial center, and maintenance of the fence. Planning Commission decided to add a one-year timing condition to determine if there was in fact an issue. Staff is unaware of any issues in association with the pedestrian connection, and as such, is recommending approval without a time condition.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on Thursday, December 23, 2010. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0043 THE BOATZHOUSE 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.

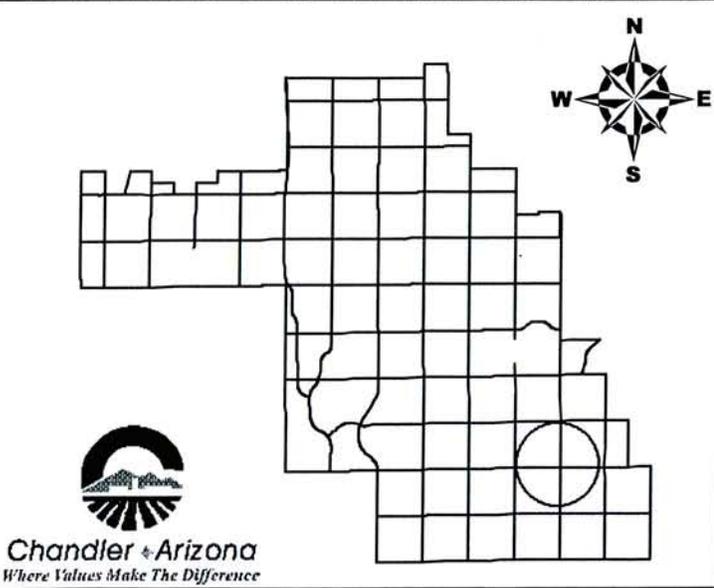
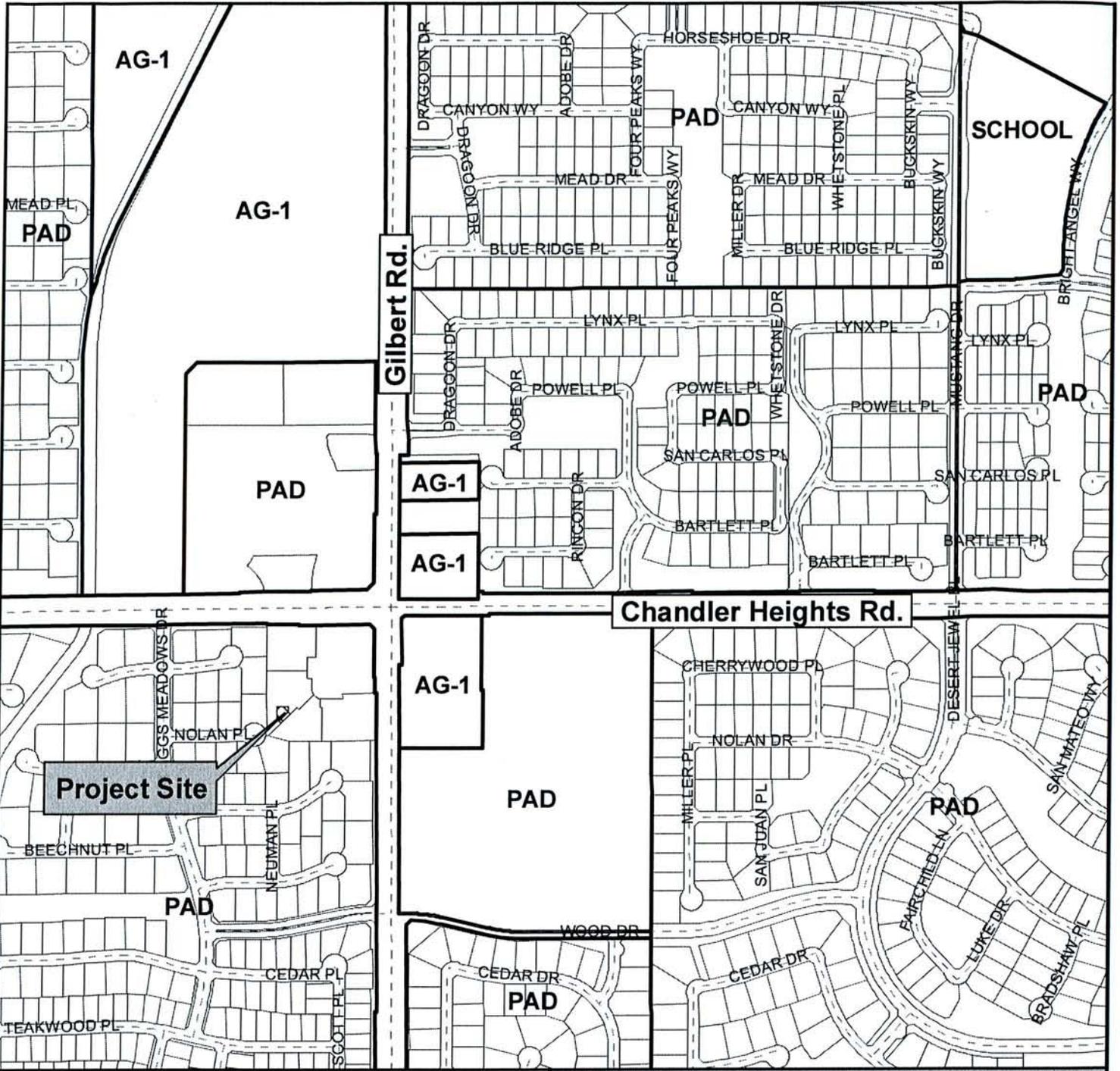
5. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.

PROPOSED MOTION

Motion to recommend approval of LUP10-0043 THE BOATZHOUSE RESTAURANT, Use Permit for a Series 12 liquor license, subject to the conditions recommended by Staff.

Attachments

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

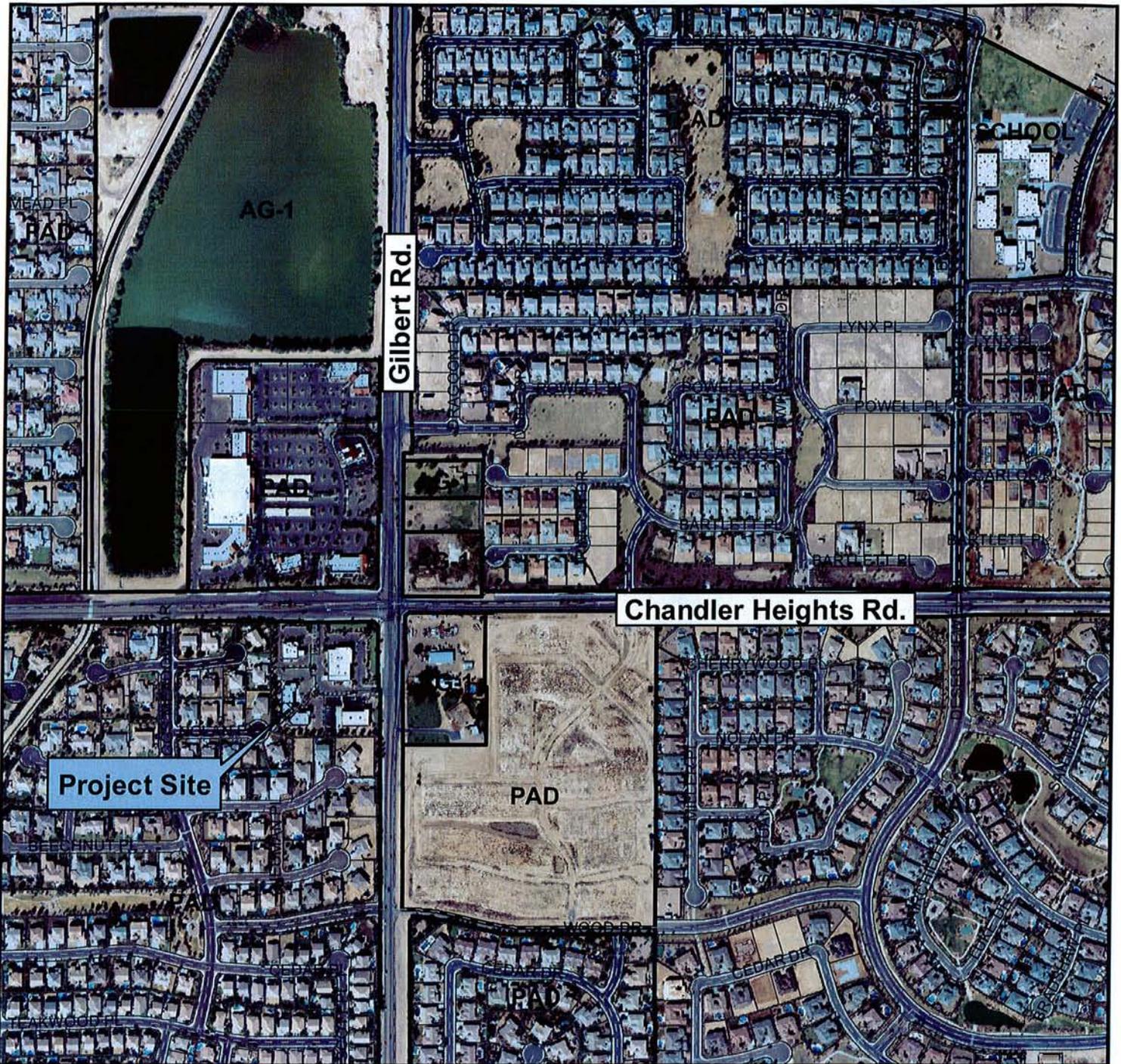


Vicinity Map

LUP10-0043

**The Boatzhouse Restaurant
Liquor Use Permit**

CITY OF CHANDLER 11/9/2010



Project Site

Gilbert Rd.

Chandler Heights Rd.

Vicinity Map

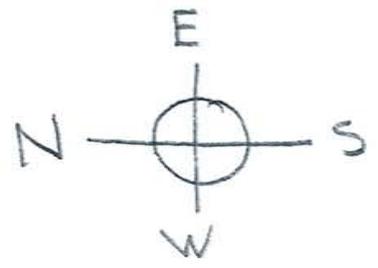
LUP10-0043

**The Boatzhouse Restaurant
Liquor Use Permit**

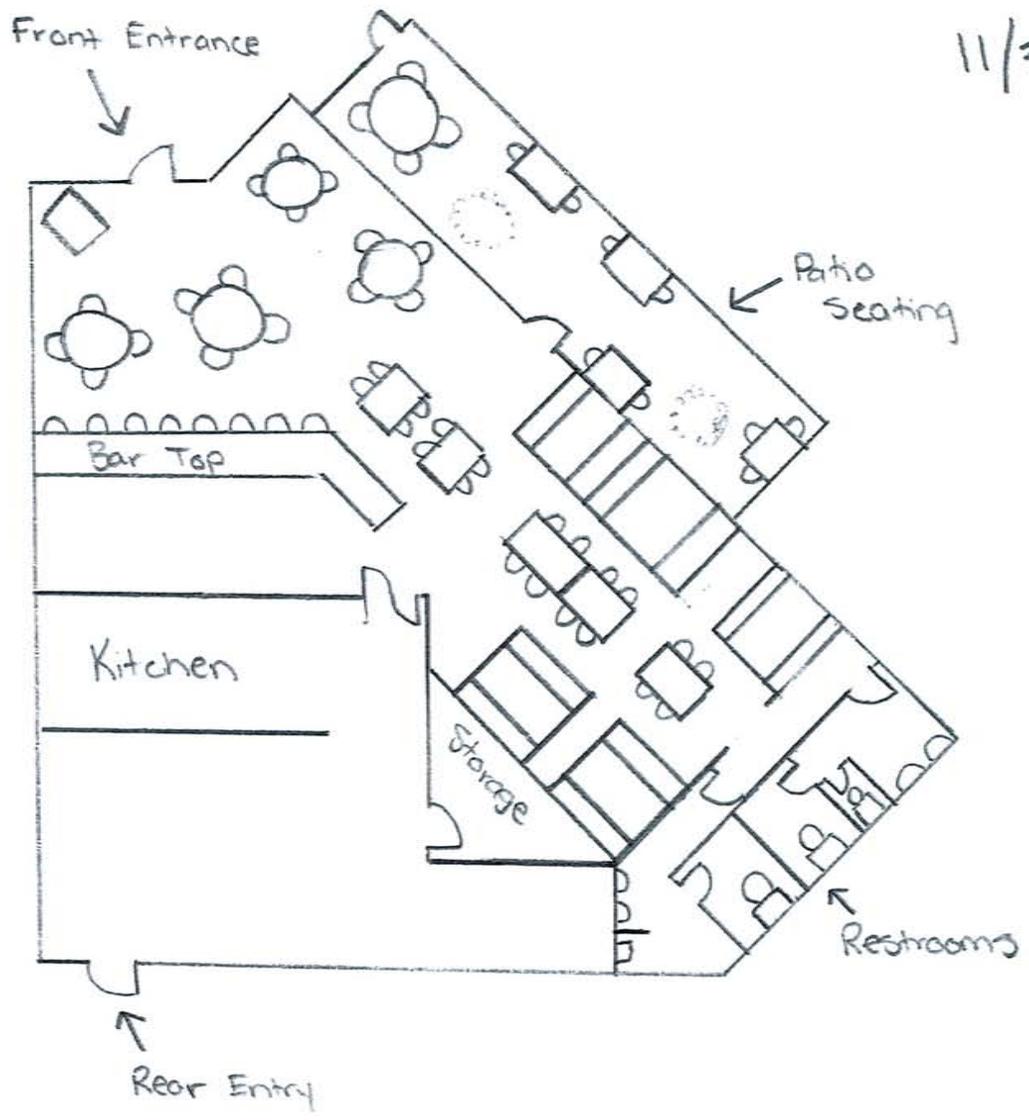
Chandler, Arizona
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CITY OF CHANDLER 11/9/2010

The Boatzhouse
5070 S Gilbert Rd
STE 400
Chandler, AZ
85249



2,307 sq/ft



11/3/2010

Floor Plan
(updated 11/3/2010)

