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MEMORANDUM **Planning Division – PZ Memo No. 15-076**

DATE: SEPTEMBER 2, 2015

TO: PLANNING AND ZONING COMMISSION

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

FROM: ERIK SWANSON, SENIOR CITY PLANNER ES

SUBJECT: LUP15-0010 VINTAGE 95

Request: Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 7 Beer and Wine Bar License for on-premise consumption indoors and outdoor consumption on an enlarged outdoor patio

Location: 95 W. Boston Street,
Southeast corner of Boston and Oregon Streets

Applicant: Jared Repinski, Agent

RECOMMENDATION

Planning Staff, upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan, recommends approval subject to conditions.

BACKGROUND

The subject site is located at the southeast corner of Boston and Oregon streets, within the City's City Center District (CCD). The CCD is a unique district that promotes specialty retail, cultural, dining, entertainment, and other storefront businesses traditional to a downtown setting. A vacant suite shares the eastern wall of the subject site; plans for a restaurant are currently under review for the vacant suite.

The site first received Use Permit approval in 2010, for a Series 12 Restaurant license under the operation of a different restaurant. Vintage 95 first received Use Permit approval for a Series 12 Restaurant license in 2011, with a one year time limit due to live music component being added to the 2010 approval. An extension of the Use Permit was granted in 2012 indefinitely. The current request is to add an outdoor patio along the site's western side, and to add a Series 7 Beer and Wine Bar license. The restaurant will continue to maintain the Series 12 Restaurant license.

Ratios of food to alcohol sales will be maintained under the Series 12 license, but with the stacked Series 7 license, the restaurant will be able to provide beer growlers and bottles of wine for-sale, for off-premise consumption.

The subject site includes an approximately 2,800 square foot building interior with restaurant seating and a bar, a small front patio along Boston Street, and a larger rear patio backing to the alley. The rear patio has restaurant seating, a bar, and three raised "square" features (a fire pit, a water feature, and a tree) that serve as gathering points. Seating is provided for approximately 174 persons, including 100 on the interior, 16 on the front patio, and 58 on the rear patio. The proposed western patio will connect the northern and southern patios, is 822 square feet, and will provide seating for approximately 20 patrons. With the addition of the patio, the restaurant and patios will provide a total square footage of 5,869. The colonnade, in which the proposed patio is located, is approximately 22 feet wide. With the addition of the seven foot wide patio, the colonnade will maintain a clear width of 15 feet. Where columns are located adjacent to the patio, a clear area of just under six feet will be provided.

The site provides live music, both indoors and outdoors on the rear patio. The music may include amplified acoustic guitar and vocals (daily), or a small 3-piece jazz band (Thursday through Saturday only). Only the jazz bands will include a bass guitar. No drums or DJs are requested. The music schedule is 5 p.m. to 10 p.m. Monday through Wednesday, 11 a.m. to 1 a.m. Thursday through Saturday, and 12 p.m. to 10 p.m. on Sunday. Conditions have been placed on the Use Permit since 2011, to address noise concerns. Planning Staff is unaware of any noise complaints generated by noise stemming from the live music.

DISCUSSION

Planning Staff supports the request, finding that the addition of the patio takes advantage of a large colonnade that has been unutilized and will offer an opportunity to provide more activity along a street frontage in the CCD. Additionally, with the stacked licenses, Planning Staff finds that while more opportunities for customers will be provided, the additional offerings does not generate operational concerns nor negatively impact the underlying land use.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 3, 2015 at the subject site. There were no neighbors in attendance.
- As of this writing, Planning Staff is not aware of any opposition to the request.

RECOMMENDED ACTION

Planning Staff, upon finding consistency with the General Plan, recommends approval of LUP15-0010 VINTAGE 95, Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License and Series 7 Beer and Wine Bar License for on-premise consumption indoors and outdoor consumption on an enlarged outdoor patio, subject to the following conditions:

1. The Use Permit is granted for a Series 12 Restaurant and Series 7 Beer and Wine Bar license only, and any change of licenses shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to any other location.

3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

4. Liquor 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 Liquor Use Permit shall apply.

5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. persons with disabilities shall have direct access to all indoor and outdoor pedestrian spaces).

6. The outdoor patio shall be maintained in a clean and orderly manner.

7. Music shall be controlled so as to not unreasonably disturb area residents.

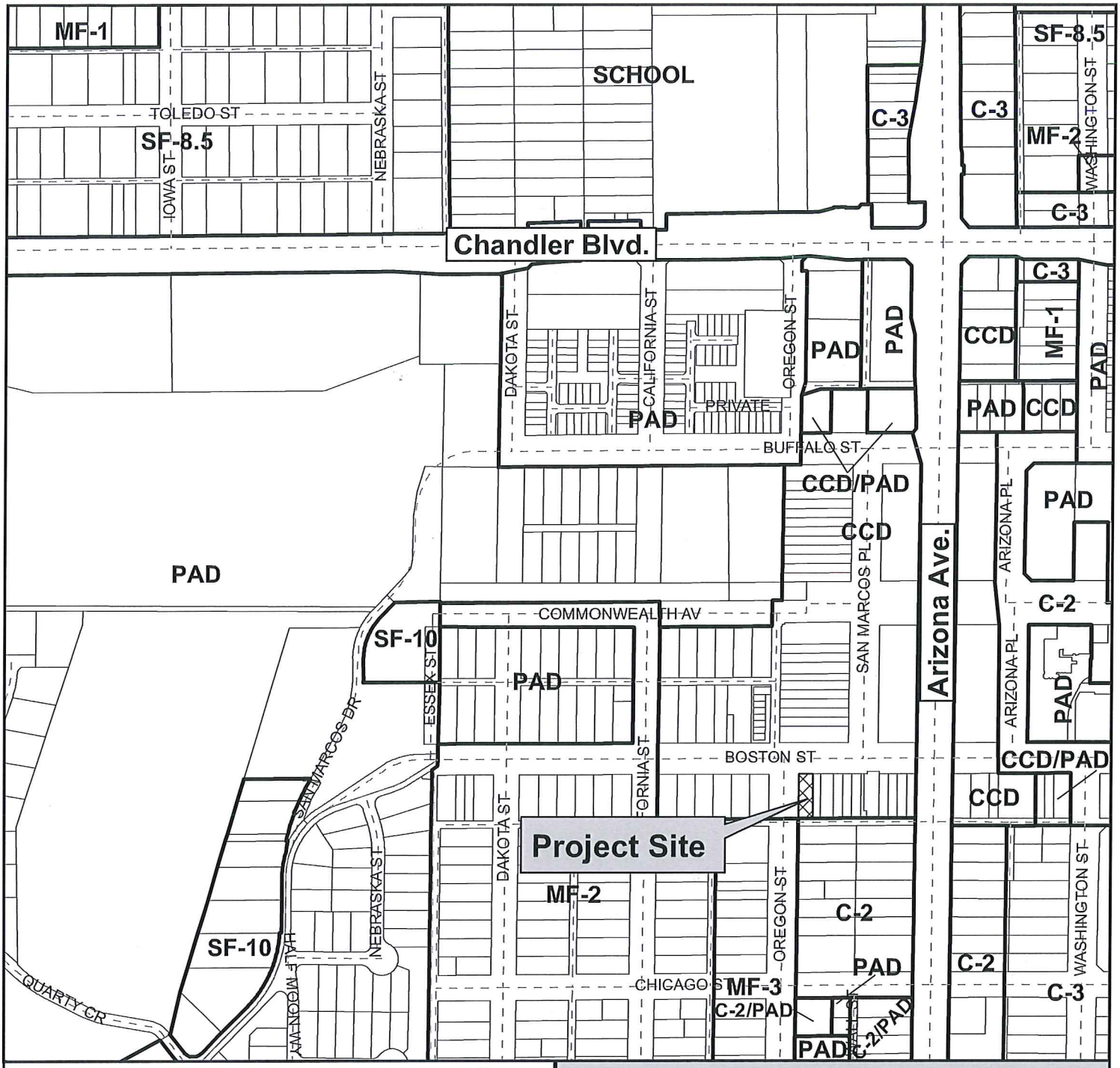
8. The restaurant shall provide contact information for a responsible person (restaurant owner and/or manager) to interested neighbors that will allow music complaints to be resolved quickly and directly.

PROPOSED MOTION

Motion to recommend approval of LUP15-0010 VINTAGE 95, subject to the conditions recommended by Planning Staff.

Attachments

1. Vicinity Maps
2. Floor Plan
3. Applicant Narrative



Vicinity Map

LUP15-0010

Vintage 95
Liquor Use Permit

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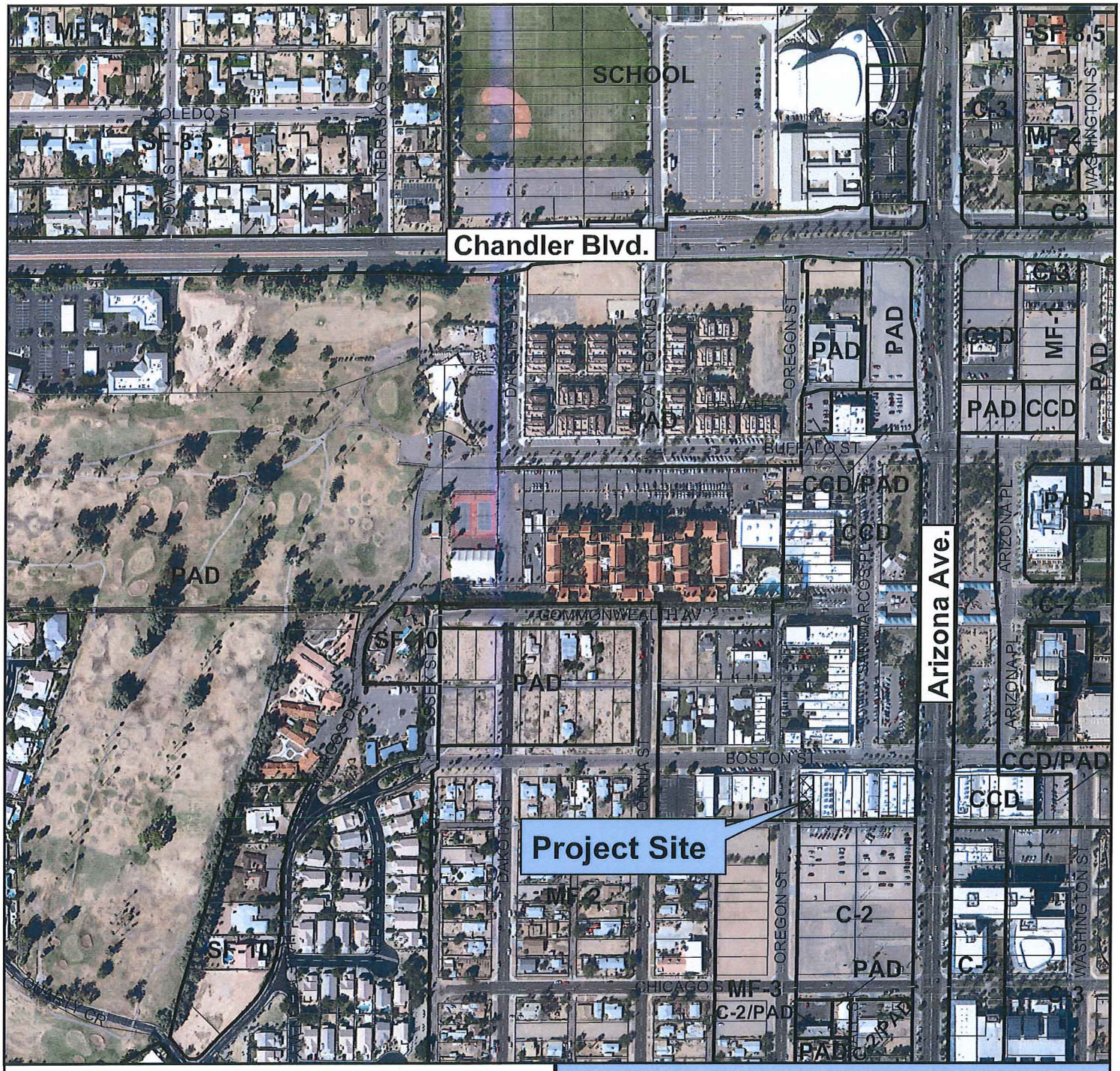
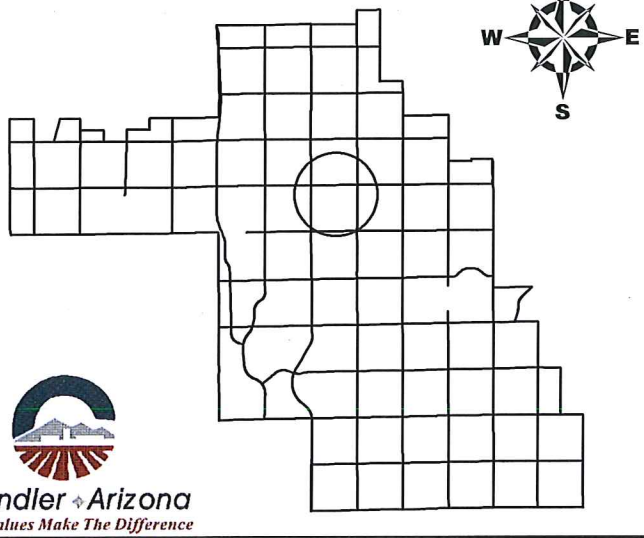


Vicinity Map



LUP15-0010

Vintage 95
Liquor Use Permit

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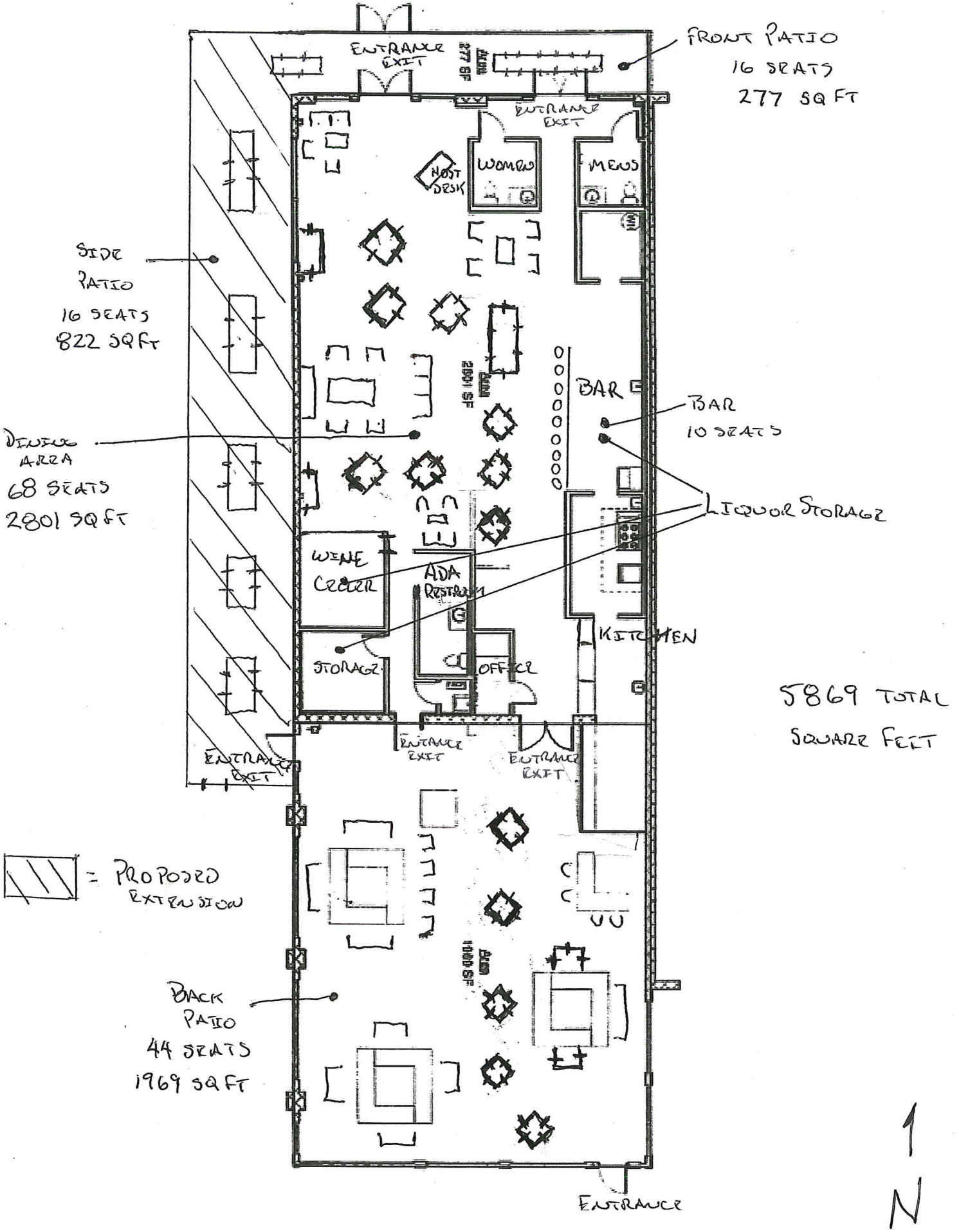
Floorplan: 95 and 91 W. Boston, Chandler, AZ 85225
NOTE: not exact, just for reference.



Vintage 95

Liquor Use Permit Request

Narrative

Vintage 95 is located at 95 W. Boston St. Chandler, AZ. 85225 (parcel no. 303-09-001A) and is currently licensed to sell alcohol under a Series 12 Restaurant liquor license. We would like to modify our currently approved Liquor Use Permit to:

1. Extend our premise to include an additional 800 sq ft. patio area on the west side of our building.

2. Stack/add a Series 07 Beer & Wine Bar (License no. 07070573) to be used in conjunction with the Series 12 Restaurant liquor license.

The currently approved licensed premise includes approximately 2,801 sq. ft. of floor space inside, 1,969 sq. ft. of space for the rear (south) patio and 277 sq. ft. of space for the front (north) patio. We would like to add an 882 sq. ft. patio along the western side of our building connecting the proposed western patio to the front (north) patio making for a continuous licensed premise (See Attached Diagram). The total premise square footage (including the proposed patio if approved) would be 5,879.

We would also like to continue to offer live entertainment both inside and outside on the patios throughout the week. The live entertainment will include a Acoustic Guitar, and Vocals as well as the occasional small jazz band consisting of Bass, Guitar, and Vocals. The entertainment hours will be: Monday, Tuesday & Wednesday from 5:00 pm to 10:00 pm, Thursday, Friday & Saturday from 11:00 am to 1:00 am, and Sunday from 10:00 to 10:00.

Vintage 95 will always be respectful of our neighbors and the community. We will not cause any odor, dust, gas, noise, vibration, smoke, heat, glare, etc. exceeding that of ambient conditions to our surrounding area as well as to our community.

The hours of operation are Monday - Saturday, 11:00 am to 2:00 am and Sunday, 10:00 am 12:00 am.

Thank you for your time and consideration,

Jared Repinski
Agent - Vintage 95