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MEMORANDUM **Planning Division – PZ Memo No. 16-031**

DATE: MAY 18, 2016

TO: PLANNING AND ZONING COMMISSION

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

FROM: LAUREN SCHUMANN, CITY PLANNER

SUBJECT: LUP16-0006 FIESTA MEXICANA

Request: Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio with the addition of live music indoors at an existing restaurant

Location: 4949 S. Alma School Road
Northeast corner of Alma School and Chandler Heights roads

Applicant: Francisco Preciado

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Staff recommends approval subject to conditions.

BACKGROUND

The subject site is located at the northeast corner of Alma School and Chandler Heights roads within the Fulton Ranch Promenade, fronting along Alma School Road. The Fulton Ranch Promenade is a mix of retail and restaurants with offices located north of the plaza. Fiesta Mexicana is an existing restaurant that's been serving authentic Mexican food since 2014, operating under a Series 12 Restaurant License. The current request is to add live music and entertainment to enhance the dining experience.

The 6,967 square foot restaurant seats 150 persons and includes an 864 square foot outdoor patio that seats 42 persons, located at the southeast corner of the building. The restaurant's hours of operation are 11 a.m. to 2 a.m. daily. Fiesta Mexicana represents live music with dancing will be added primarily Wednesday through Saturday until 2 a.m. and Sunday from 11 a.m. until early evenings. All live music and entertainment will be indoors and not on the outdoor patio. The

patio area has speakers that will be kept at a reasonable level. The live music will be centered indoors along the north wall adjacent to the kitchen with the music facing to the south. Some dining room tables will be removed for dancing. The main entrance and patio doors are located along the south side of the building, which will be closed during times of live music.

Under a typical Series 12 License, the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

DISCUSSION

Planning Staff supports the request, finding the restaurant with live music indoors is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. The one-year time condition allows evaluation of the compatibility of the live entertainment.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 9, 2016. Four residents from Serenity Shores Condominiums at Fulton Ranch attended the meeting. Concerns included the hours of operation and security provided during evenings of live music. The applicant has represented additional security will be provided on nights live music occurs. The additional security will be placed within the restaurant, at the front door, and in the parking lot.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

RECOMMENDED ACTION

Planning Staff recommends Planning Commission motion to recommend approval of LUP16-0006 FIESTA MEXICANA, subject to the following conditions:

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

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

3. The Liquor Use Permit is non-transferable to other store locations.

4. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

5. The site shall be maintained in a clean and orderly manner.

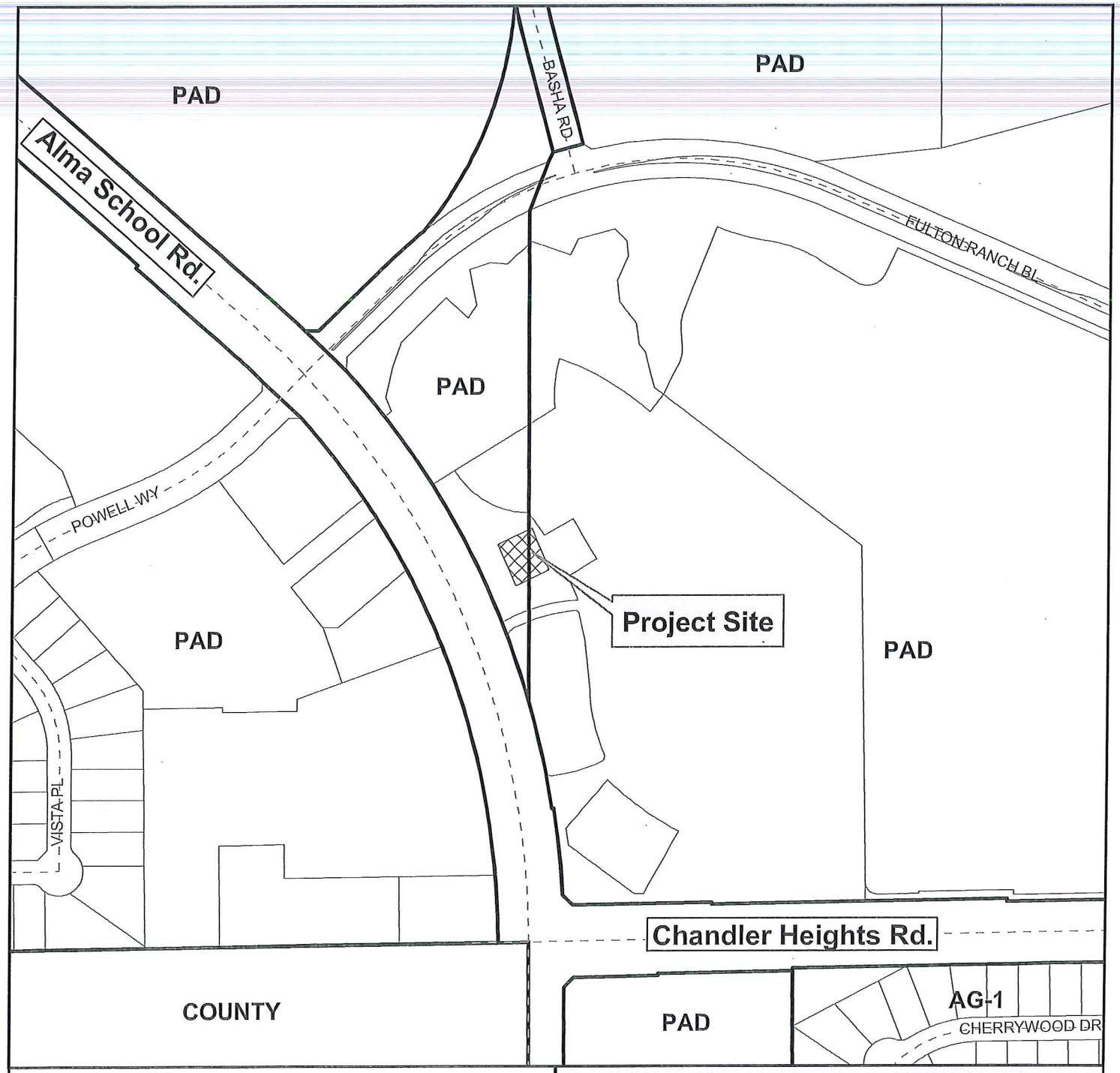
6. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

PROPOSED MOTION

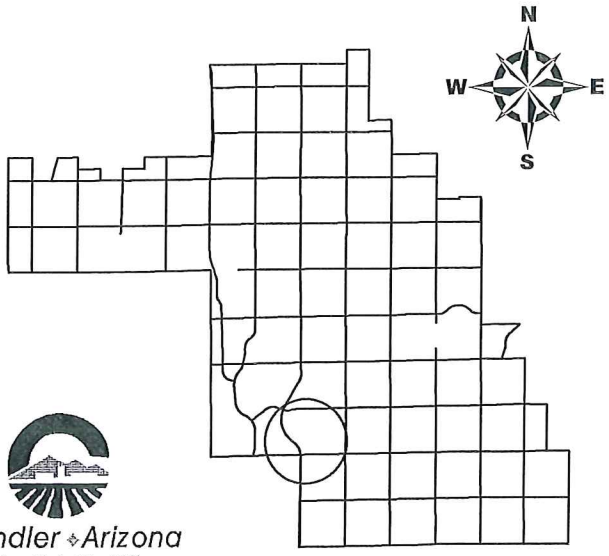
Motion Planning Commission to recommend approval of Liquor Use Permit case LUP16-0008 FIESTA MEXICANA, subject to the conditions as recommended by Planning Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan



Vicinity Map



LUP16-0006

Fiesta Mexicana
Liquor Use Permit

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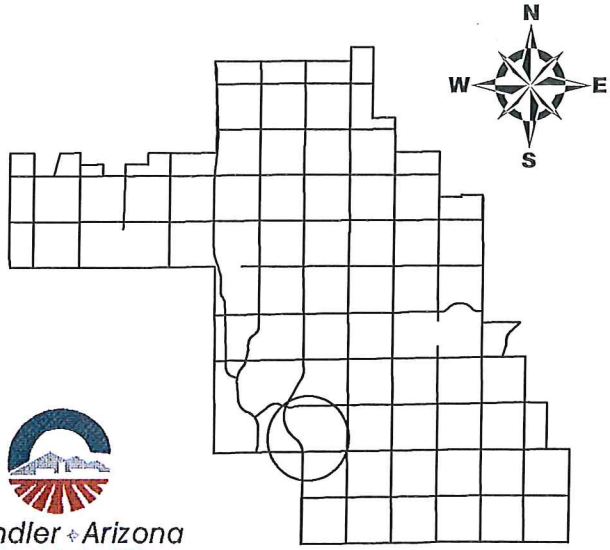
Vicinity Map



LUP16-0006

Fiesta Mexicana
Liquor Use Permit

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CITY OF CHANDLER 5/9/2016

Fiesta Mexicana's Narrative

Fiesta Mexicana is a family owned business with eight locations in five states, and four of these restaurants are located in Arizona. We serve fine quality authentic Mexican food in a causal, colorful, and festive atmosphere. Festive Mexicana restaurants are designed for families, business gatherings, celebrations, or events. The restaurant, which has been open since 2014, is located at 4949 S. Alma School Road, within the Fulton Ranch Promenade at the corner of Alma School Road and Chandler Heights Road. This is a proposal to add live music and dancing to the existing Series 12 Restaurant License.

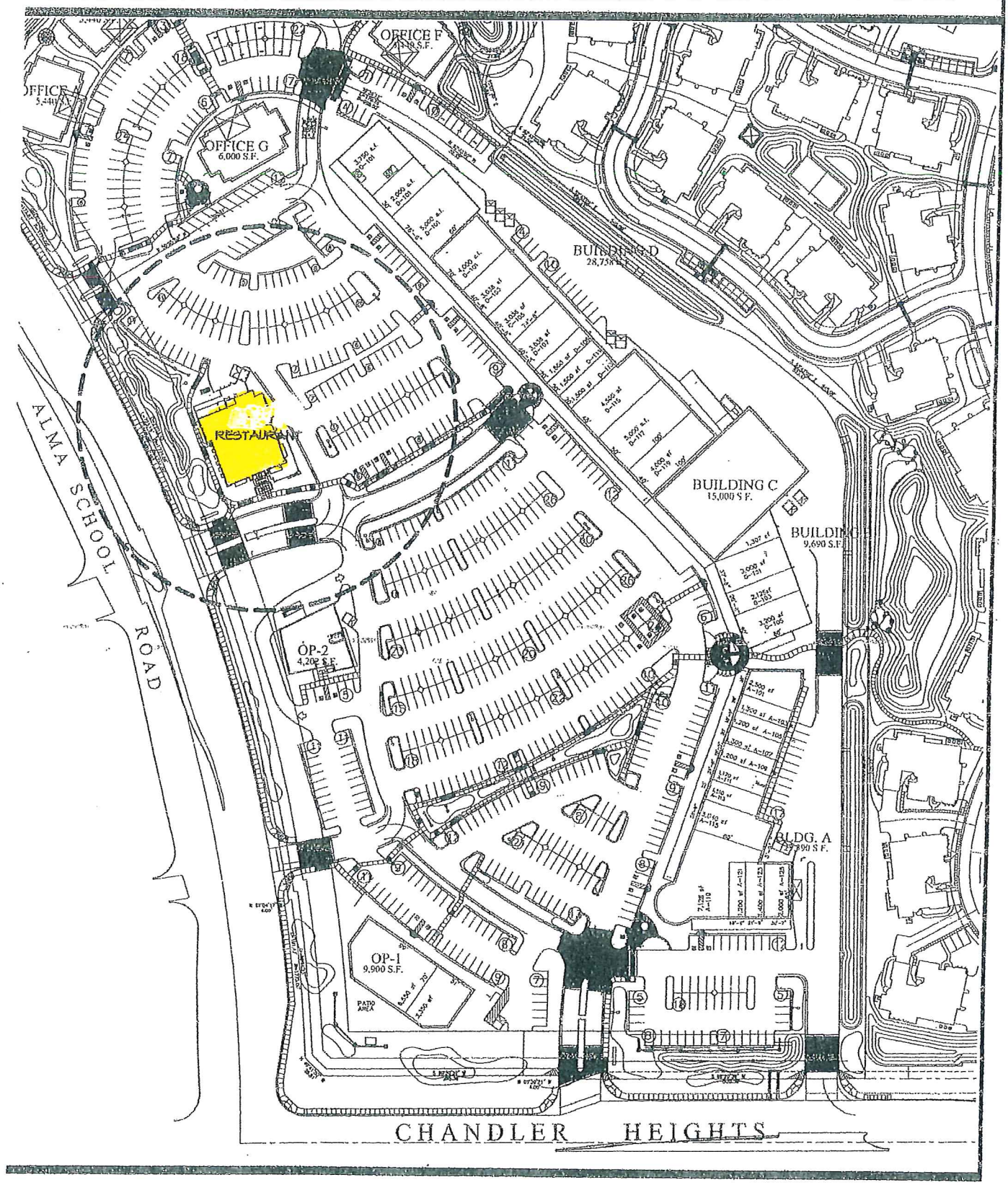
The restaurants hours of operation are daily from 11 a.m. to 2 a.m. Live music and dancing will be added Wednesday through Saturday evenings until closing at 2 a.m., and Sundays from 11 a.m. to early evenings. Live music performances will be inside the restaurant and music will be played from the speakers on the patio at reasonable level. Our staff will monitor the patio and surrounding areas for reasonable sound to create a pleasant atmosphere because we are very respectful of our neighbors who are also our patrons.

The restaurant has a maximum capacity of 350 people and currently there's seating for 150 indoors and 42 seats on the patio. Music will be staged near the center and rear of the building backing up to the kitchen wall. Some tables will be removed to create an open dance floor. The building has a service window on the patio measuring 14 feet long by 3 feet tall located on the east side of the building. The front door and patio door are located along the south side of the building. These areas will be contained during the evening hours when live music is available. Sound is farther contained by the buildings structure, distance to surrounding buildings, landscaping, and the distance to the nearest residential neighborhood is substantial. Fiesta Mexicana currently employs 17 staff and will add additional staff during evenings with music.

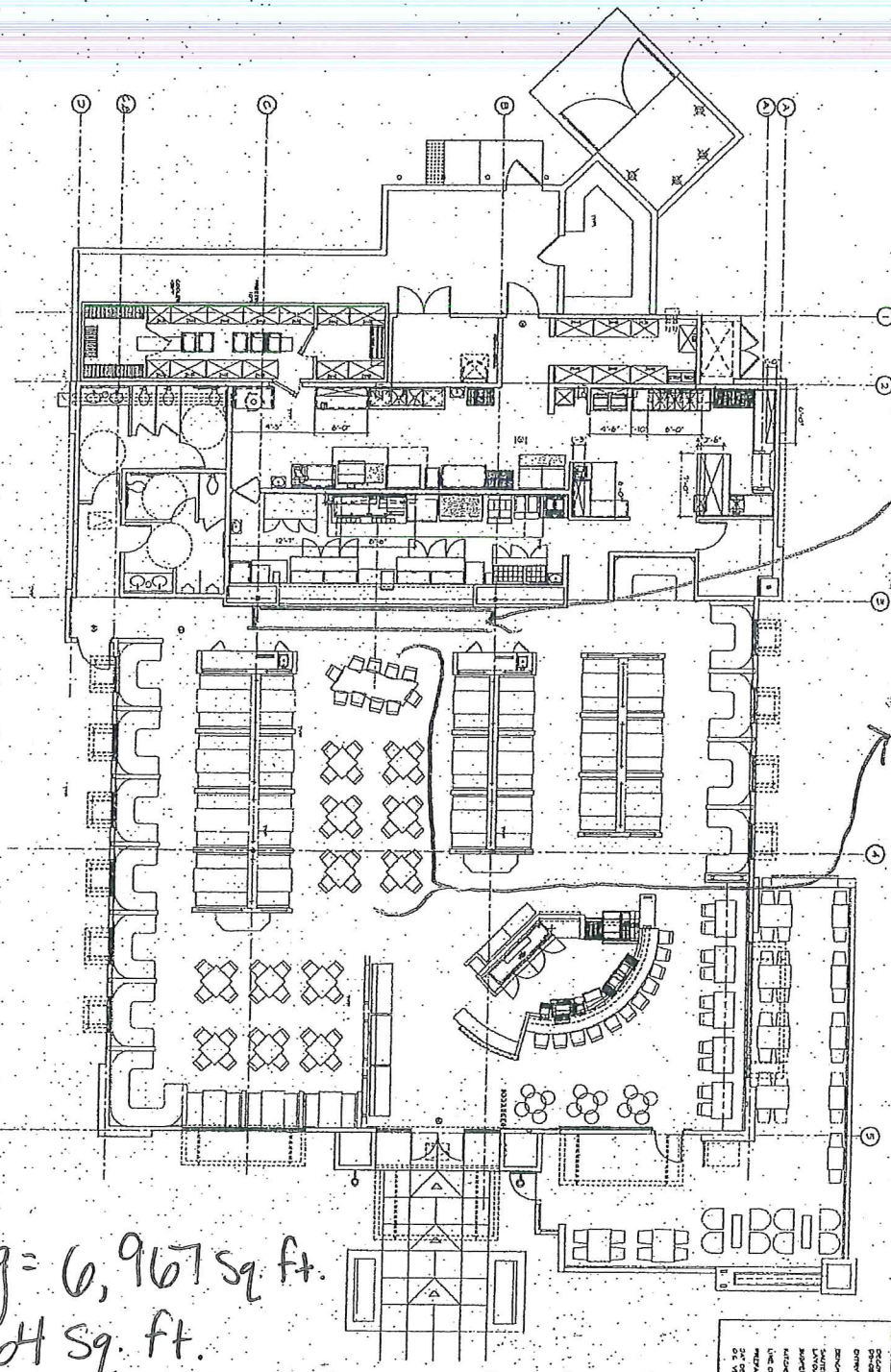
Fiesta Mexicana would like the opportunity to offer live music and dancing to cater to our clientele and surrounding neighbors. We are members of the Chandler Chamber of Commerce, and we give to numerous charities and community events. Our neighbors and community are considered our family and we will be courteous and respectful to their needs at all times.

Francisco Preciado, Fiesta Mexicana General Manager

FULTON RANCH PROMENADE



SITE PLAN



Building = 6,967 sq ft.
Patio = 864 sq. ft.

FLOOR PLAN KEYNOTES

A7	FLOOR PLAN	Fiesta Mexicana FULTON RANCH PROMENADE 4949 SOUTH ALMA SCHOOL ROAD CHANDLER, ARIZONA