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MEMORANDUM **Planning & Development - PZ Memo No. 09-121**

DATE: OCTOBER 30, 2009

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: ERIK SWANSON, CITY PLANNER

SUBJECT: LUP09-1004 JUICE

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

Location: 2475 W. Queen Creek Road, Ste. 1,
Southwest corner of Queen Creek and Dobson Roads

Applicant: Brian Anderson, Whitneybell Perry Inc.

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. Staff, upon finding consistency with the General Plan and PAD zoning recommends approval with conditions.

BACKGROUND

The subject site is located west of the southwest corner of Queen Creek and Dobson Roads, within the Downtown Ocotillo commercial shopping center. The subject site is located in a suite within an inline shops space. Queen Creek Road is directly north of the site. Parking fields are located east and south of the site. West, adjacent to the restaurant are vacant shop spaces.

The subject site is an approximate 2,180 square foot suite occupying the eastern half of an approximate 7,000 square foot inline shops building. The dining and bar areas total approximately 1,430 square feet and can accommodate 104 patrons. The kitchen area is approximately 307 square feet. Two separate outdoor patios are provided; one patio is located

west of the main entrance on the south side of the building, and the second patio is located east of the main entrance on the south side of the building and wraps around the eastern face of the building. The patios combined are approximately 729 square feet and can accommodate approximately 40 patrons.

In order to accommodate the outdoor patios a pedestrian walkway will be enclosed. However, as part of the patio design the pedestrian walkway was shifted south of the patios and takes up a portion of seven parking stalls. The parking stalls will be eliminated and the concrete patio extended. With the extended walkway the restaurant has the ability to provide a valet parking drop-off area in front of the restaurant. The subject site requires 27 parking stalls, 71 are currently provided. Staff is in support of extending the patio area and eliminating the parking stalls to allow for a valet drive-up area citing that adequate parking for the site is maintained.

The restaurant will be open seven days a week from 11 a.m. to 10 p.m., and is estimating a need for 15-18 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.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- 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 20, 2009. 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 LUP09-1004 JUICE, 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.

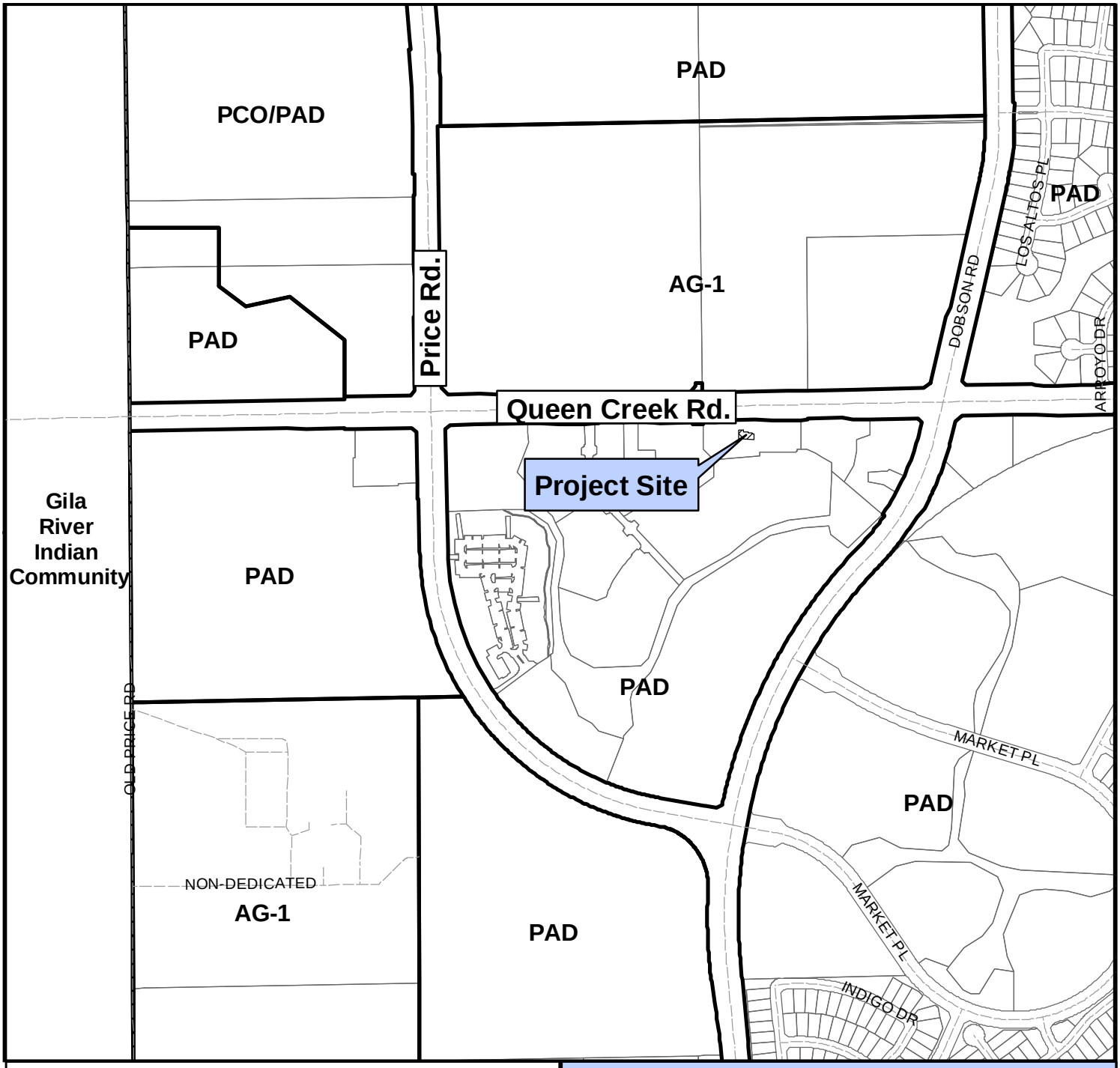
5. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.

PROPOSED MOTION

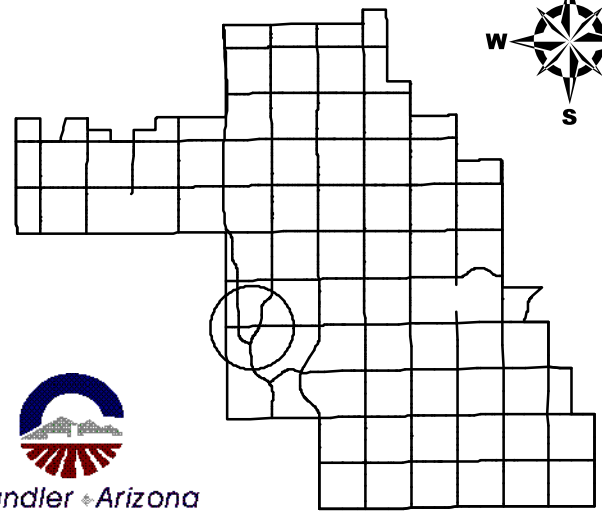
Motion to recommend approval of LUP09-1004 JUICE, subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map



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LUP09-1004

Juice
Liquor Use Permit

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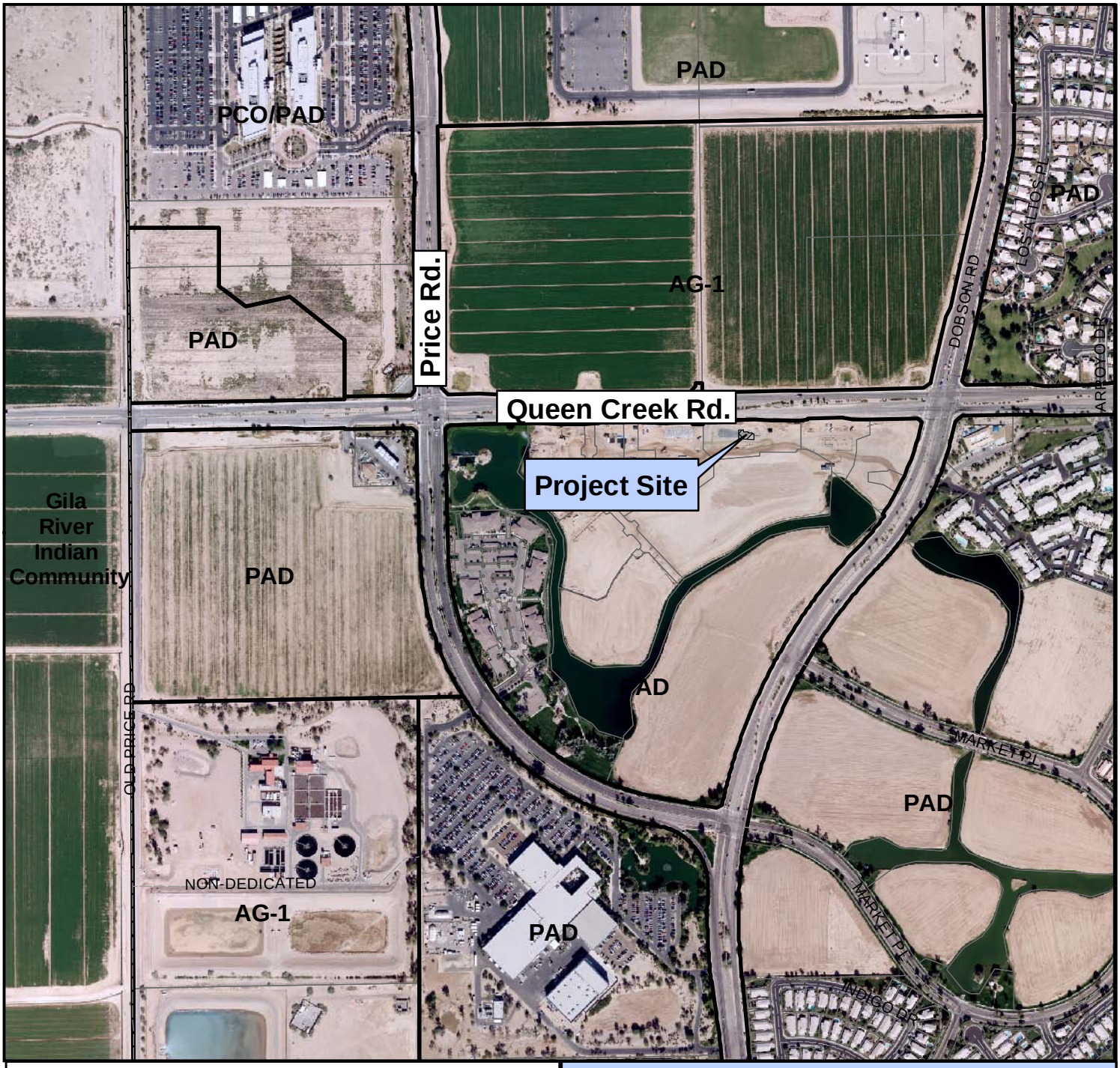
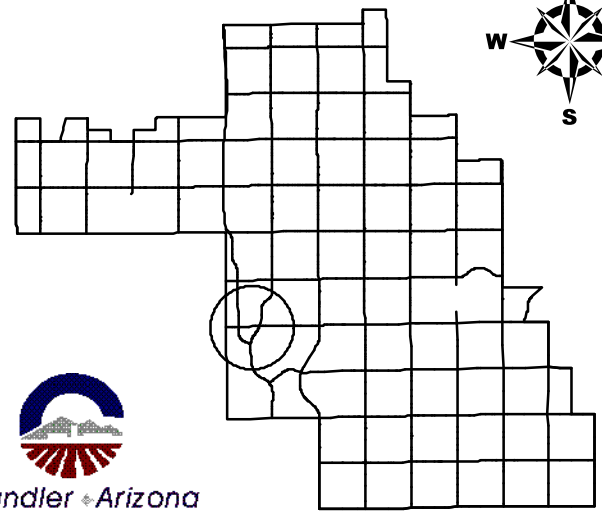


Vicinity Map



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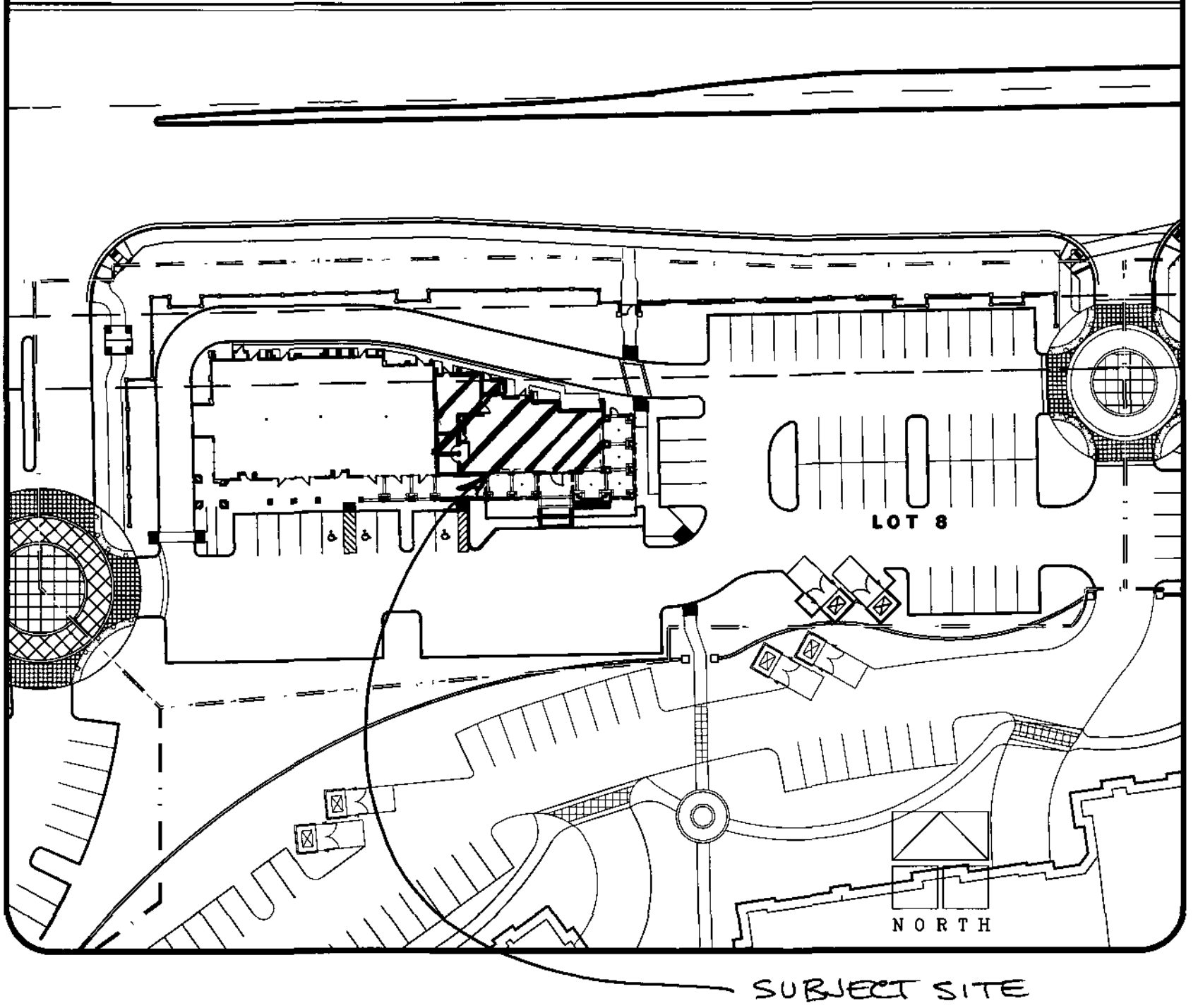
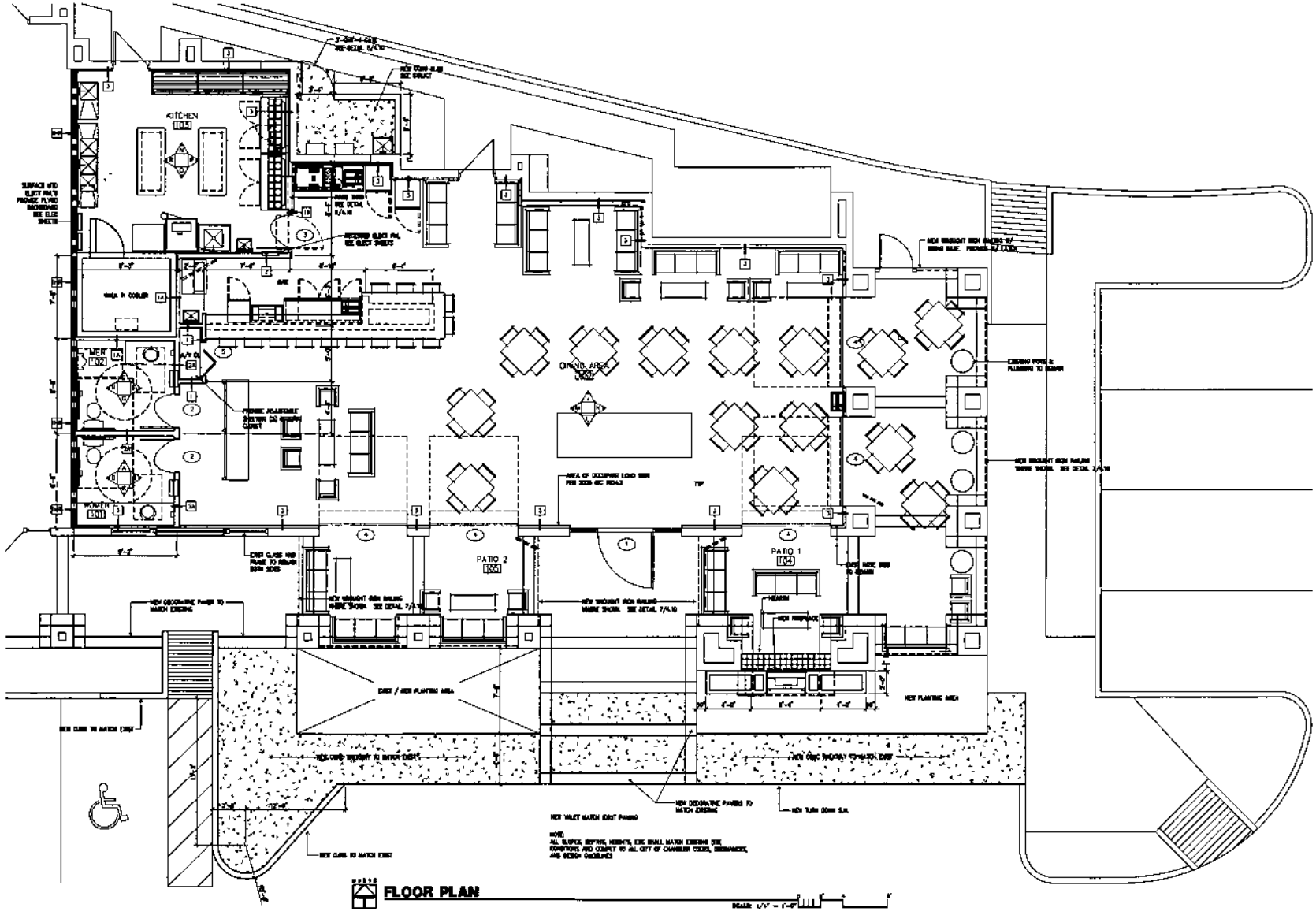
SITE PLAN





Juice DOWNTOWN OCOTILLO Building "H"

CHANDLER, ARIZONA

Juice

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ARCHITECTURE AND PLANNING

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FLOOR PLAN

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