



The subject site received Use Permit approval to serve alcohol in conjunction with a Series 12 liquor license in 2009; however, the Use Permit only allowed the serving of alcohol within the restaurant. Since the approval in 2009, the restaurant has built an outdoor patio, and as such would like to serve alcohol on the patio.

The patio is approximately 1,560 square feet and provides seating for roughly 75-100 patrons; the attached site plan of the patio provides seating only for reference purposes. The applicant would also like the ability to provide live entertainment indoors; live entertainment would not be provided outdoors. Speakers, for background music, will be provided on the patio. A condition has been added to address any potential noise concerns.

The building is approximately 8,052 square feet and can accommodate up to 252 patrons. The bar area is approximately 300 square feet, the dining areas are approximately 3,193 square feet, and the kitchen preparation area is approximately 2,000 square feet. The restaurant will be open Sunday thru Wednesday from 7 a.m. to 12 a.m. and Thursday thru Saturday from 7 a.m. to 2 a.m. The restaurant employs approximately 32 people.

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 neighborhood meeting was held on Tuesday, October 12, 2010. No neighbors were in attendance.

At the time of this writing, Staff has received one telephone call from a nearby resident that was concerned with noise. The concern was general in nature, but Staff is aware that there have been some concerns with noise levels during outdoor special events. The special events were approved through the City's Special Event Permit process and were not a violation of zoning. Staff has added condition no. 6 addressing noise in the event there is an issue with the live music.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 6    Opposed: 0

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of LUP10-0024 KILEY'S GRILL, subject to the following conditions:

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

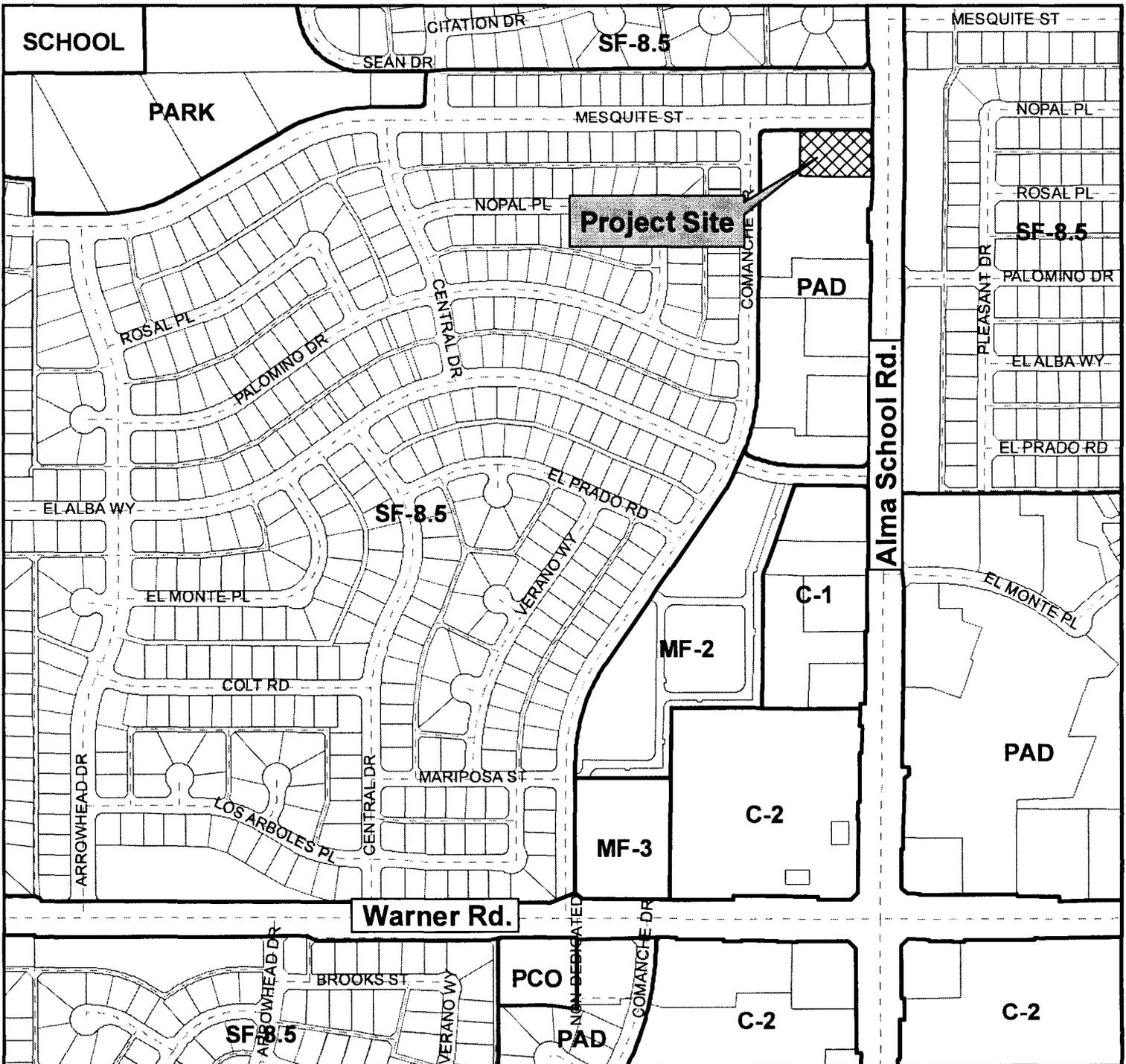
2. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. The Use Permit is non-transferable to other store locations.
5. The site shall be maintained in a clean and orderly manner.
6. No noise shall be emitted from outdoor speakers on the patios or from music occurring indoors, that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.

**PROPOSED MOTION**

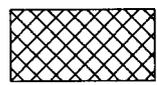
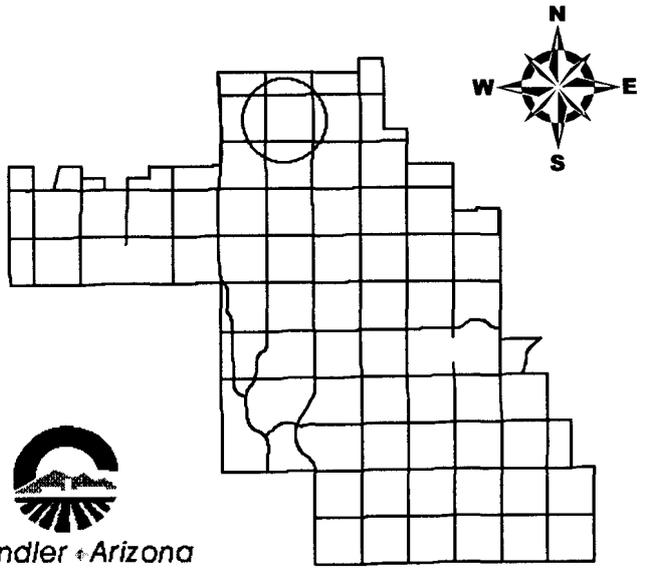
Move to approve LUP10-0024 KILEY'S GRILL, Use Permit to sell liquor as permitted under a Series 12 liquor license for on-premise consumption within an outdoor patio, subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Floor Plan
3. Patio Plan



## Vicinity Map



LUP10-0024

**Kiley's Grill  
Liquor Use Permit**

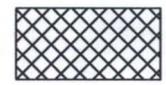


**Project Site**

**Alma School Rd.**

**Warner Rd.**

## Vicinity Map



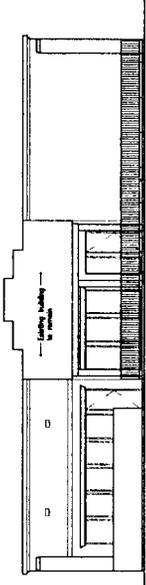
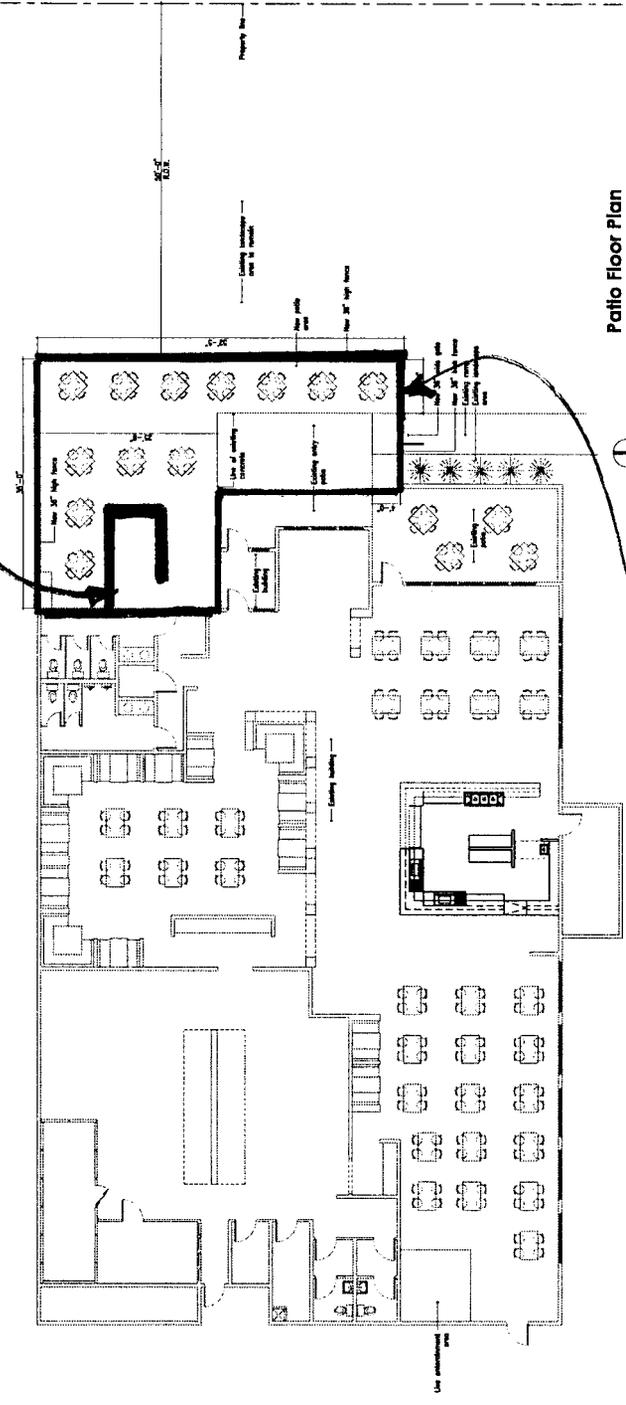
**LUP10-0024**

**Kiley's Grill  
Liquor Use Permit**

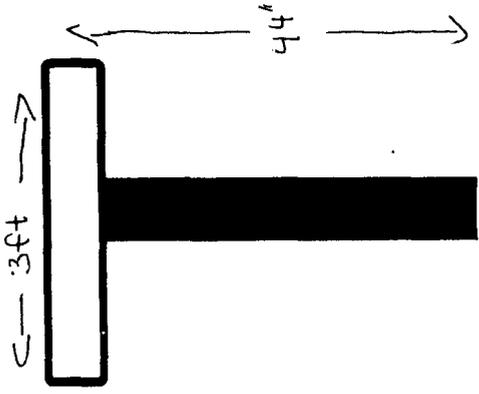




DRY BAR



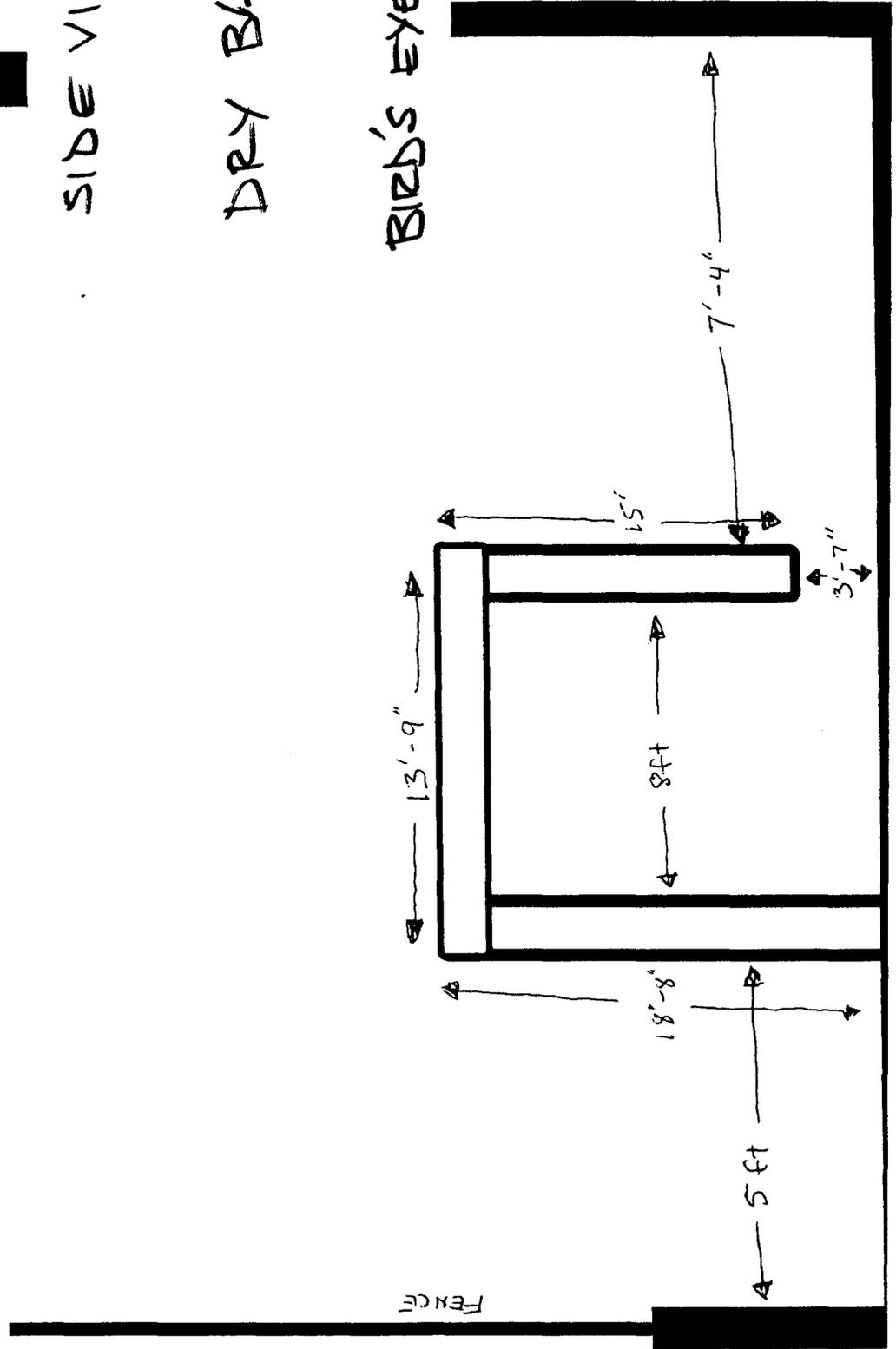
OUTDOOR PATIO AREA



SIDE VIEW

DRY BAR

BIRD'S EYE VIEW



Solid  
Concrete

FENCE