



MEMORANDUM **Transportation & Development - CC Memo No. 11-066**

DATE: JUNE 3, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP11-0006 CYPRUS GRILL

- Request: Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and outdoor patio
- Location: 1065 W. Queen Creek Road, Ste. 2
 Southwest corner of Queen Creek and Alma School roads
- Applicant: Cristos Komitis, Restaurant owner

RECOMMENDATION

The request is for Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and future outdoor patio. Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval with conditions.

BACKGROUND

The request is for Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and future outdoor patio. A Series 12 liquor license allows the onsite sale of beer, wine, and spirits for onsite consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

The subject site is located at the southwest corner of Queen Creek and Alma School roads, within The Falls at Ocotillo shopping center. The subject site is located in a central portion of the site within a section of inline shops. Commercial users are adjacent to the site on the north, west, and east. On the south side of the site is an additional suite and parking lot, with a residential collector street and single-family homes beyond the center.

The subject site has had a number of restaurant users throughout the past, none operating with liquor licenses. Cyprus Grill has been at the location for a couple of months and would like the ability to serve alcohol to their patrons. This is the second location for Cyprus Grill with their first location being in Phoenix. The restaurant is open Monday through Saturday from 11 a.m. to 9:30 p.m. and on Sundays from 11 a.m. to 3:30 p.m. The restaurant is approximately 2,092 square feet and has seating for 30 patrons. The restaurant currently employs four people.

The owners would like the ability to have a patio in the future, and the existing breezeway along the suite's east side provides the ability for a small patio. The applicant does not have plans in the immediate future as the restaurant is still getting established, but would like the ability to build the patio without needing to go through the review process in the future. Staff had administratively approved a layout for a patio in the past, but it was never developed and alcohol was not being proposed at the time of approval. Conceptual details are provided for the design to give an idea for the location and size. Final details will be worked out with Staff administratively.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- The neighborhood meeting was held Tuesday, May 31, 2011, no neighbors attended.
- At the time of this writing, Staff has received no telephone calls or letters opposed to this request.
- The Police Department has been notified of the request and has no objections.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 5 Opposed: 0 Absent: 2 (Donaldson, Veitch)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommends approval of LUP11-0006 CYPRUS GRILL, 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 restaurant 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 patio shall be maintained in a clean and orderly manner.
6. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
7. The applicant shall work with Staff for the final design and detail of an outdoor patio.

PROPOSED MOTION

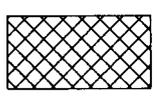
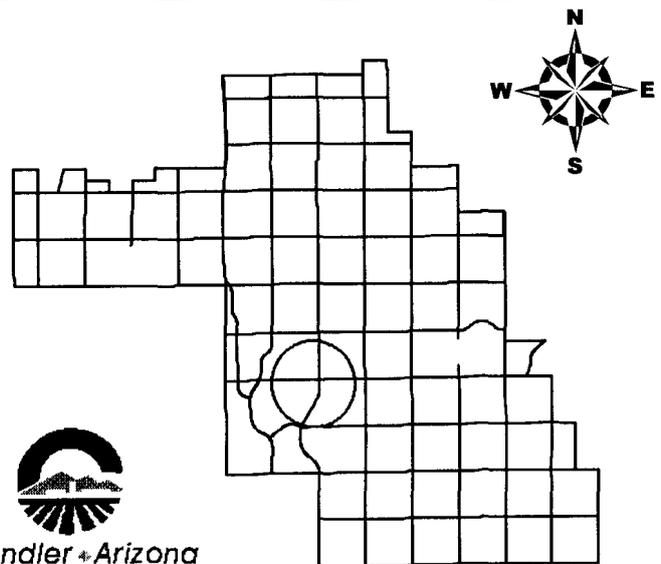
Move to approve LUP11-0006 CYPRUS GRILL, Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and outdoor patio; subject to the conditions recommended by Planning Commission and Staff.

Attachments

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

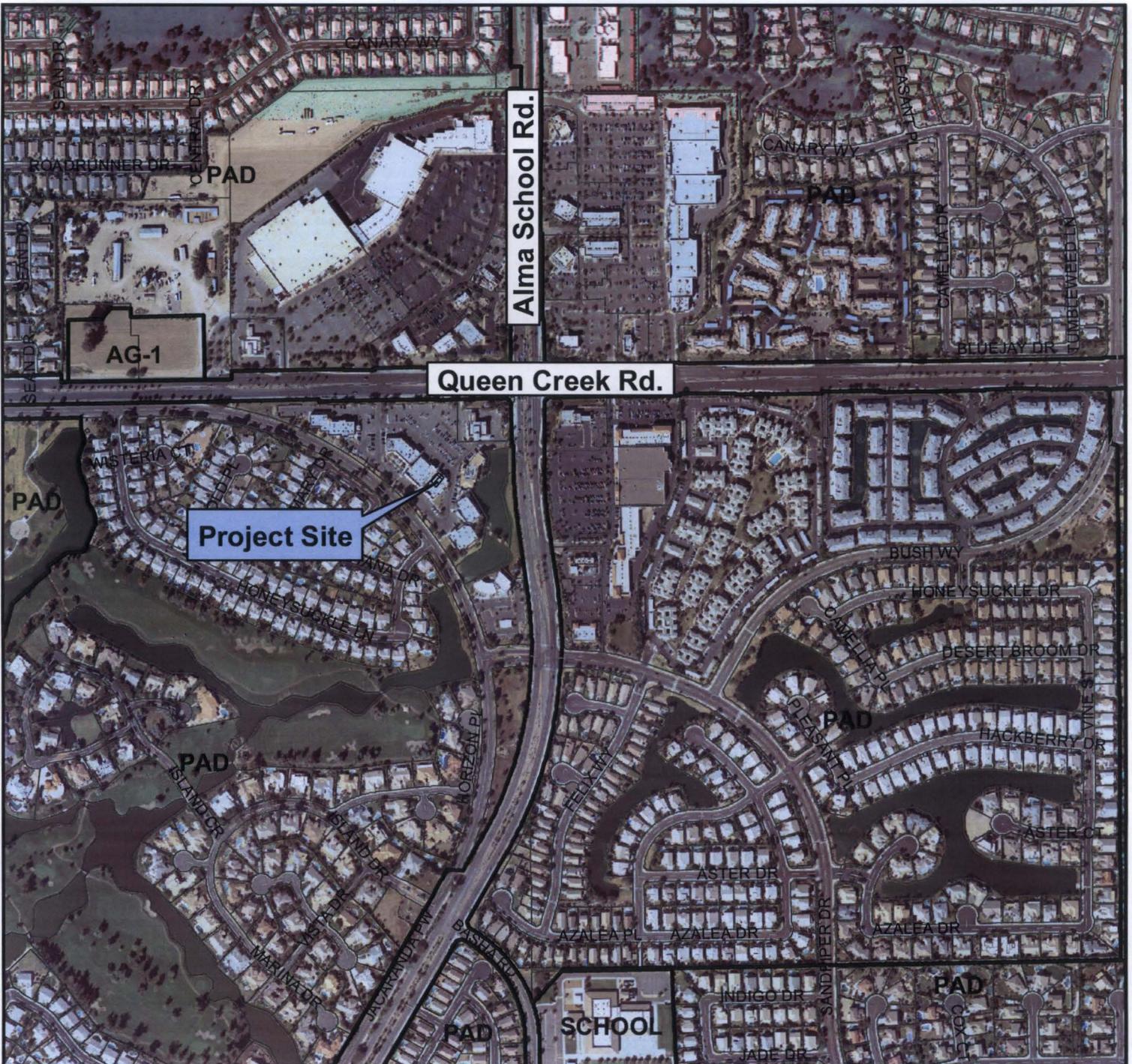


Vicinity Map

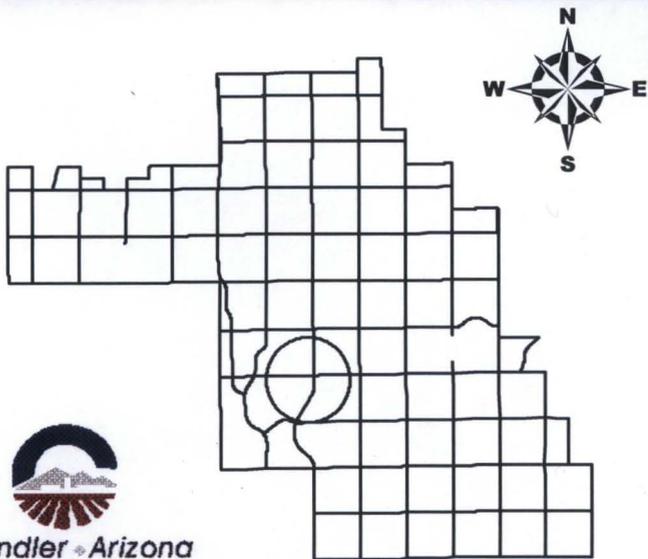


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**Cyprus Grill
Liquor Use Permit**



Vicinity Map

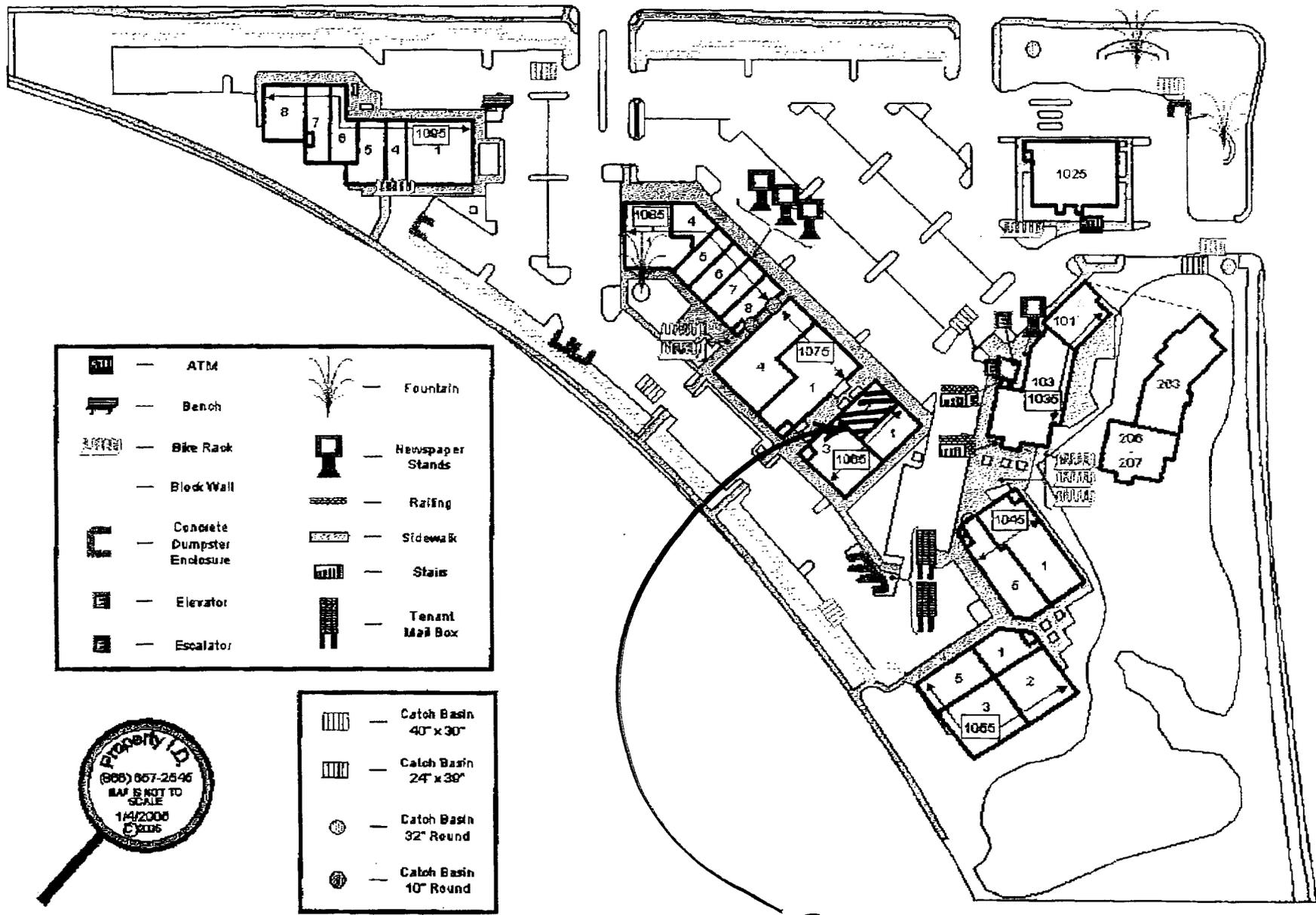


LUP11-0006

**Cyprus Grill
Liquor Use Permit**

Basic Site Plan

The Falls

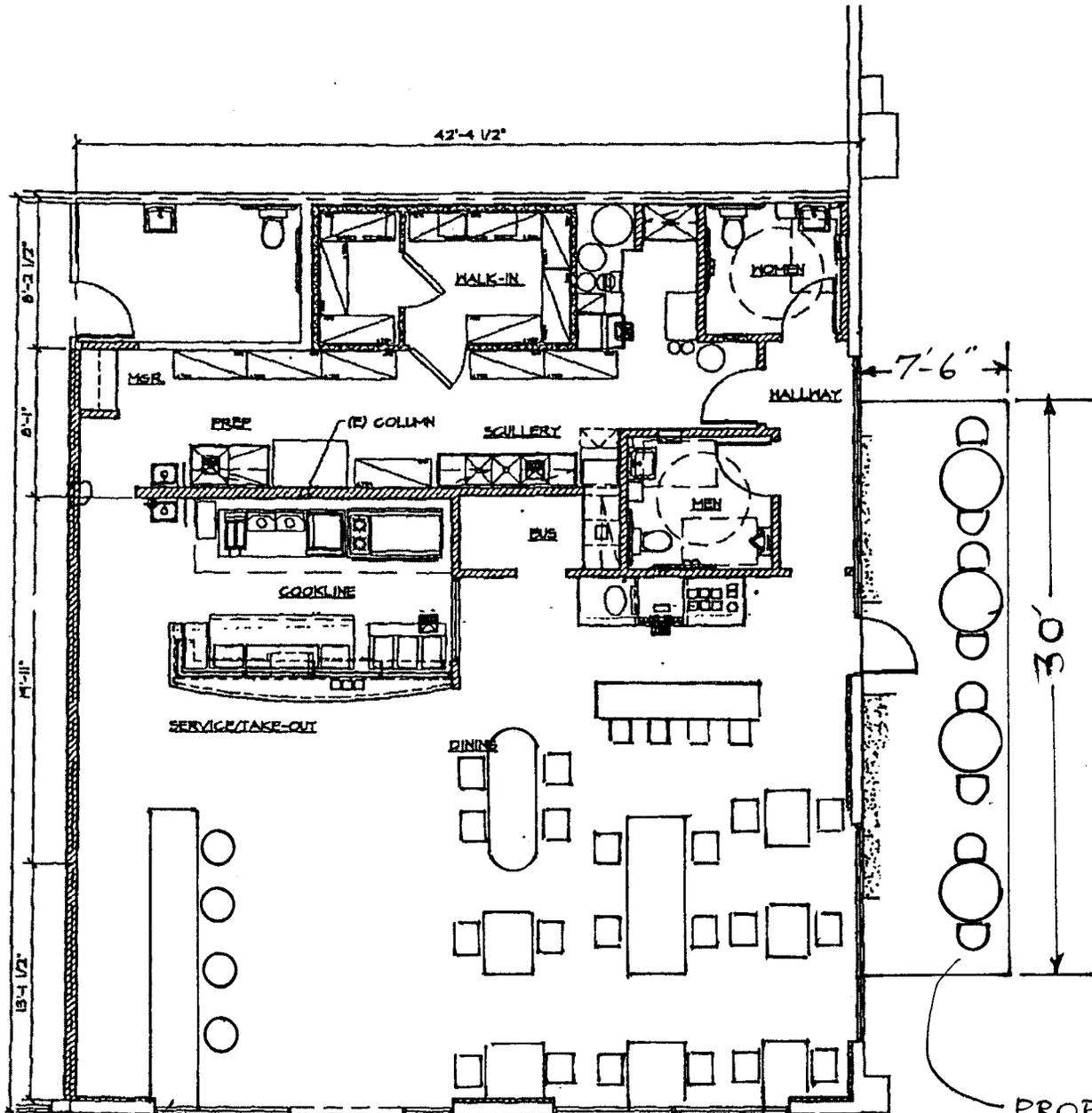


	— ATM		— Fountain
	— Bench		— Newspaper Stands
	— Bike Rack		— Railing
	— Block Wall		— Sidewalk
	— Concrete Dumpster Enclosure		— Stairs
	— Elevator		— Tenant Mail Box
	— Escalator		

	— Catch Basin 40' x 30'
	— Catch Basin 24' x 30'
	— Catch Basin 32' Round
	— Catch Basin 10' Round



SITE



PROPOSED
OUTDOOR PATIO

BAR

EXISTING OUTDOOR
DINING

FLOOR PLAN