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SEP 22 2011



Chandler · Arizona
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MEMORANDUM Transportation & Development – CC Memo No. 11-104

DATE: SEPTEMBER 8, 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: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER ^{JMN}

SUBJECT: LUP11-0014 NINJA SUSHI

Request: Approval of a Use Permit to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio area at a new restaurant

Location: Southwest corner of Germann and Alma School Roads; 2040 S. Alma School Road, Suite 3

Applicant: Hong Sik Moon

RECOMMENDATION

The request is for liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio area. This restaurant is within the Fry's grocery shopping center. Planning Commission and Planning Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval.

BACKGROUND

The request is for liquor Use Permit approval to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within outdoor patio areas within the Chandler Pavilions commercial center. A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site 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.

This tenant space was formerly occupied by the Nothing But Noodles and Pepe's Mexican Grill restaurants. The new restaurant, Ninja Sushi, offers Japanese sushi. The business will occupy

approximately 2,800 square feet with an existing patio on the building's north side which is approximately 240 square feet. The restaurant will be open from 11 a.m. to 10 p.m. seven days a week. The restaurant seats approximately 100 people. There are no entertainment uses or activities on site; only televisions indoors.

DISCUSSION

Planning Commission and Planning Staff are of the opinion that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting was held on August 16, 2011. No one attended other than the applicant.
- The Police Department has been informed of the application and has not responded with any concerns.
- At the time of the memo, Staff is not aware of any opposition to this request. Staff did receive a phone call from a nearby commercial property owner who supports the request.

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of Use Permit LUP11-0014 NINJA SUSHI, subject to the following conditions:

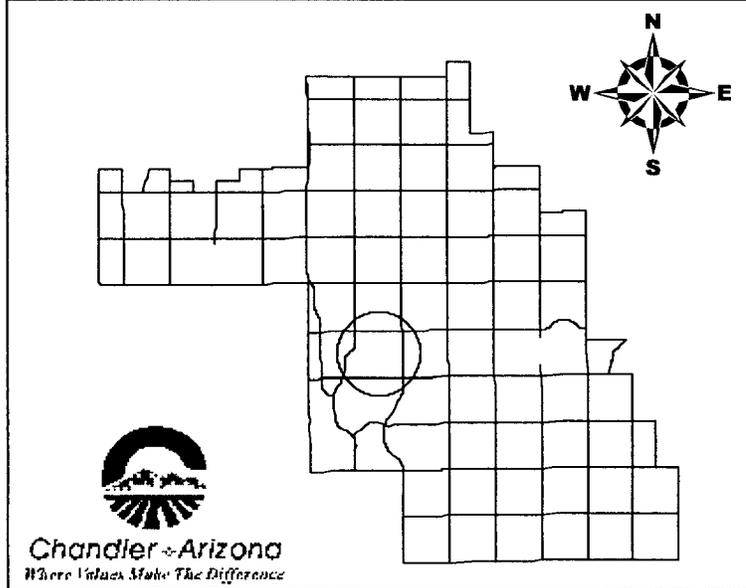
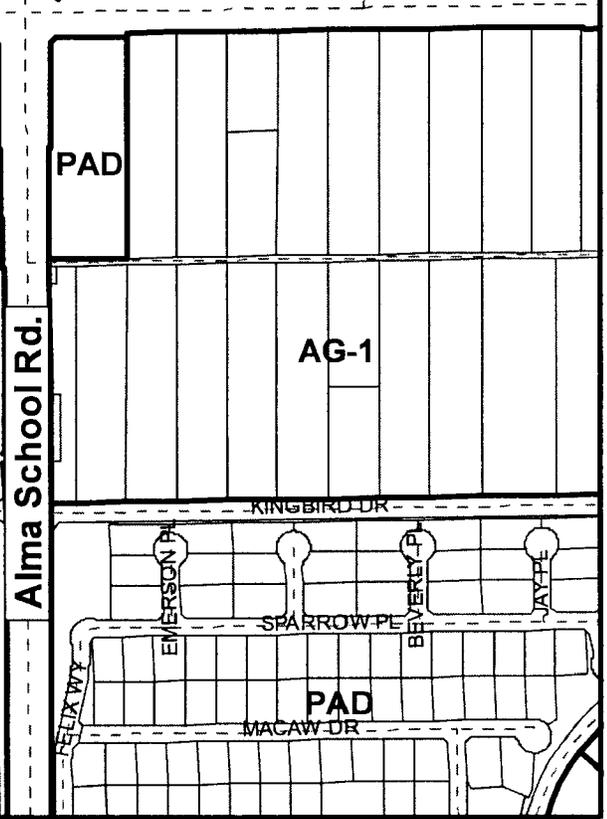
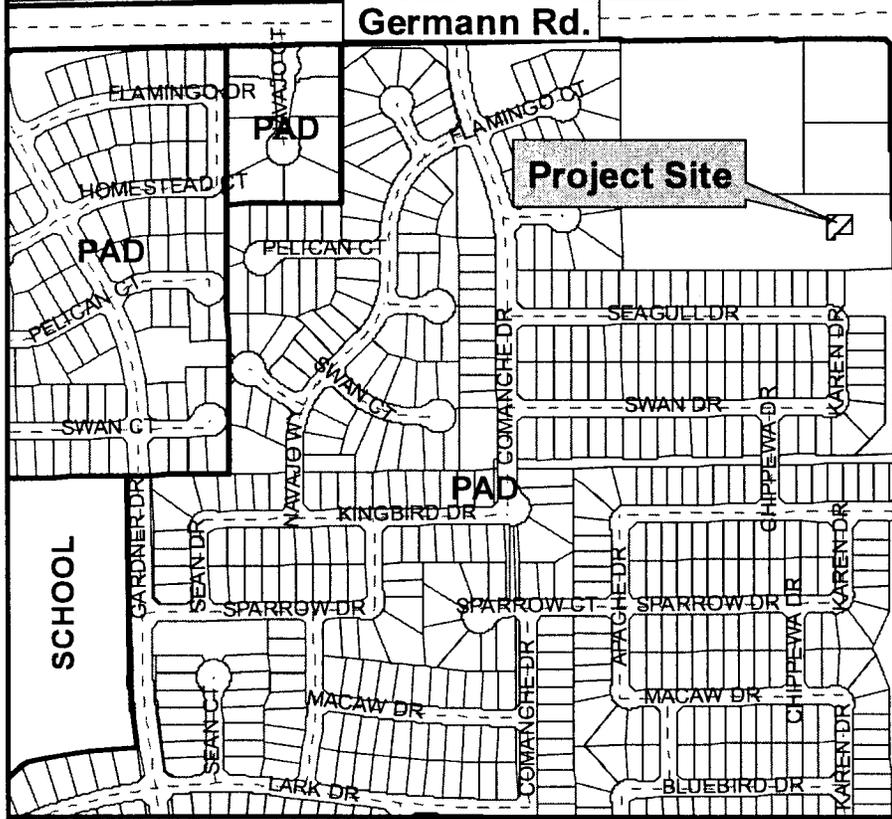
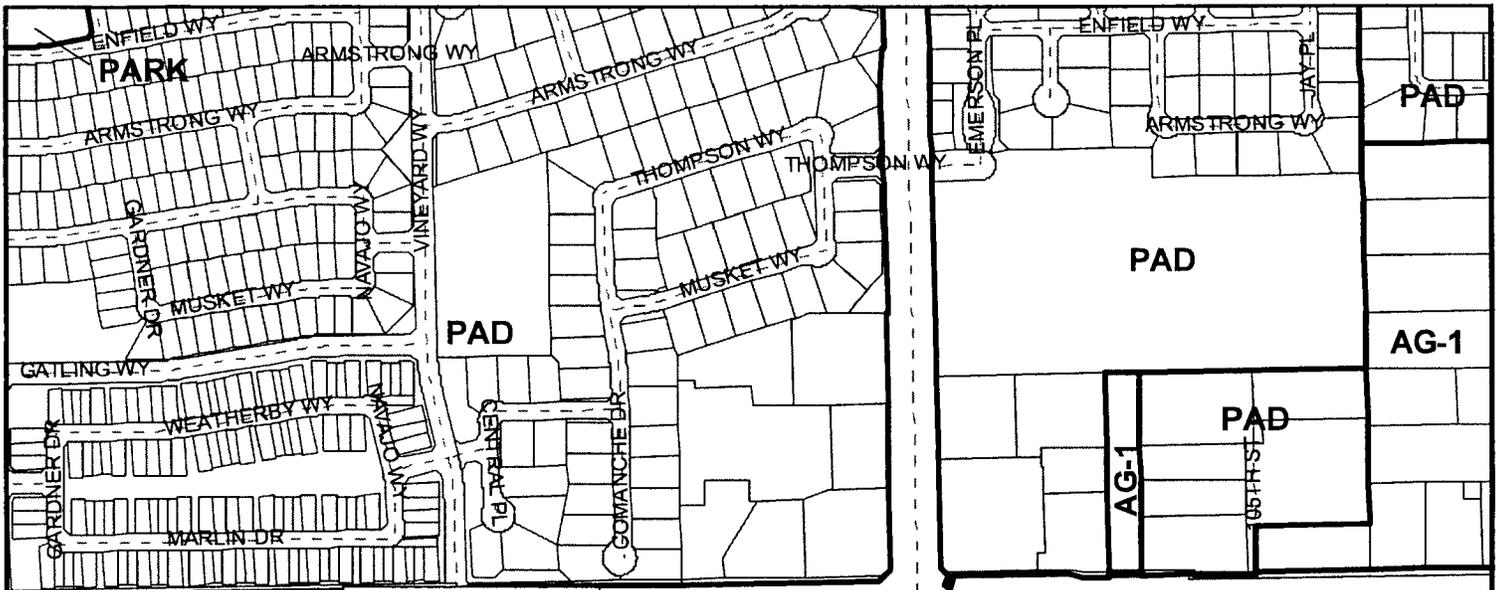
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 12 license only, and any change of licenses shall require re-application and new liquor Use Permit approval.
3. The liquor Use Permit is non-transferable to other restaurant locations.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.

PROPOSED MOTION

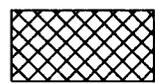
Move to approve liquor Use Permit case LUP11-0014 NINJA SUSHI, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

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



Vicinity Map



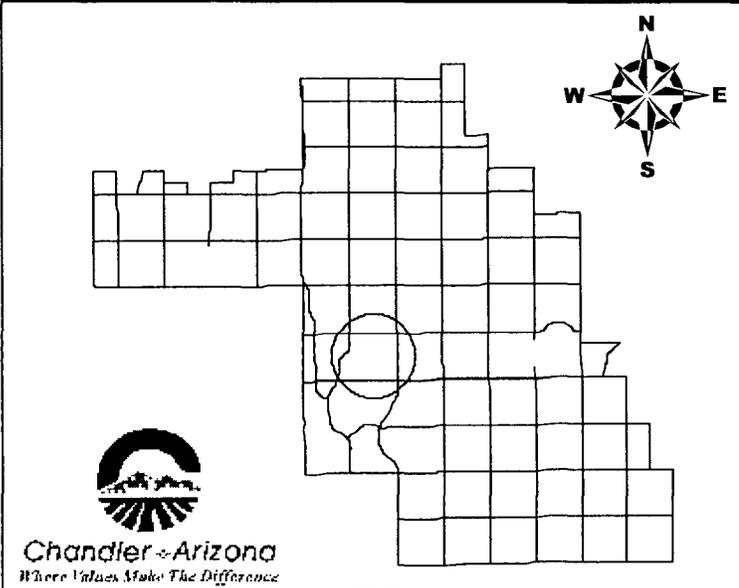
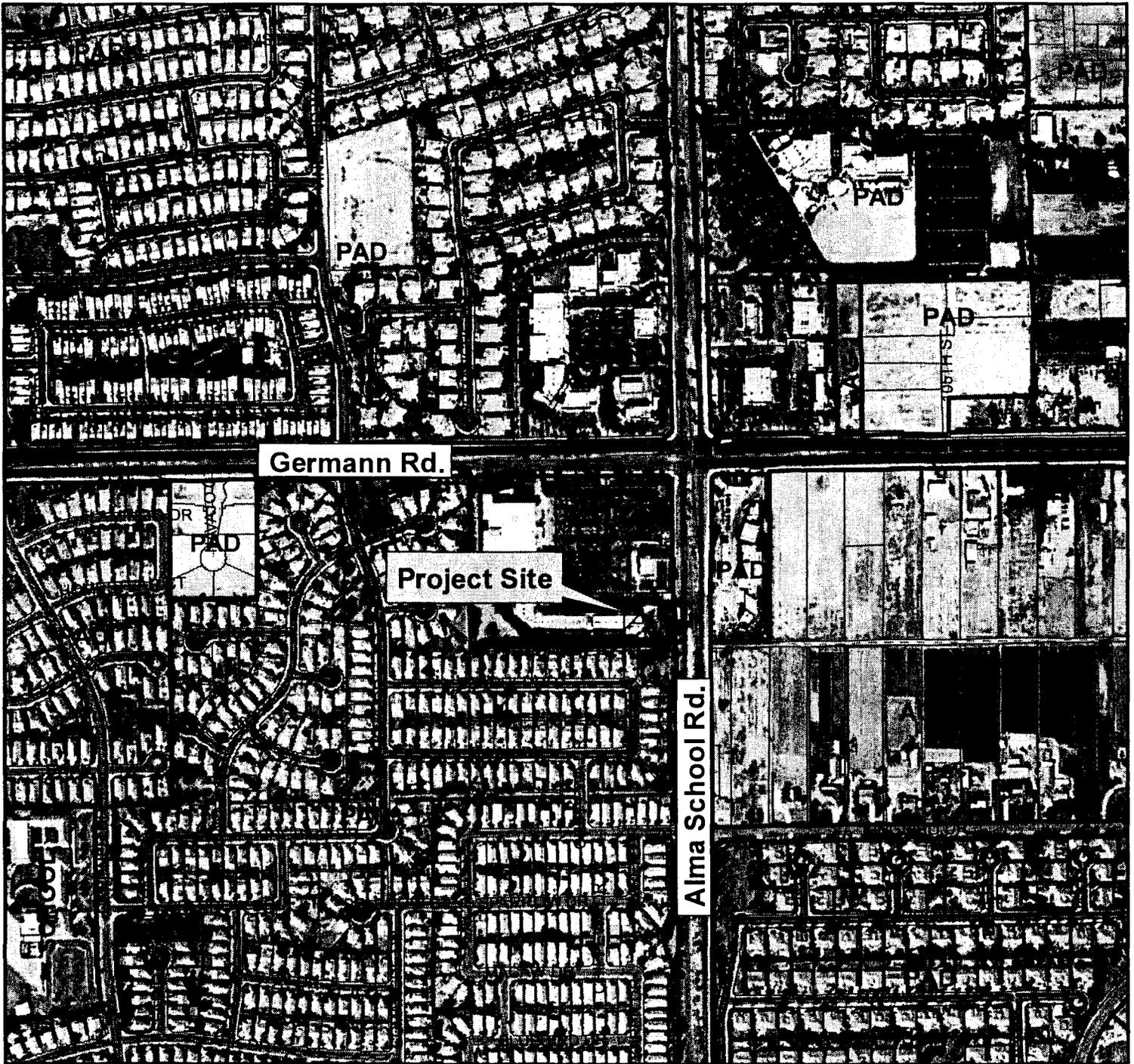
LUP11-0014

**Ninja Sushi
Liquor Use Permit**



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CITY OF CHANDLER 7/18/2011



Vicinity Map



LUP11-0014

**Ninja Sushi
Liquor Use Permit**



Date: 7-11-11

To: City of Chandler

My name is Hong Sik Moon apply a **Series 12** liquor permit for Ninja Sushi Restaurant at 2040 S Alma school rd suite # 3 Chandler, Arizona 85286 on Shoppes at Clemente Ranch

Ninja Sushi is serving Japanese Sushi and some Hot food item, Tab beer and Hot liquors Sake elec. Square footage appx. 2800 sq ft. seating 80 to 100 people. 4 TV total at bar and dining, Sport and CNN broadcast. Existing patio as indicate on the site plan(see attach). 15 staff, Opening hours 7 days a week 11 am to 10 pm.

See attach for Menu, floor plan, and Site plan.

Contact: Hong Sik, Moon

Cell: 916-709-0992

Sincerely;

A handwritten signature in black ink, appearing to read 'Hong Sik Moon', written in a cursive style.

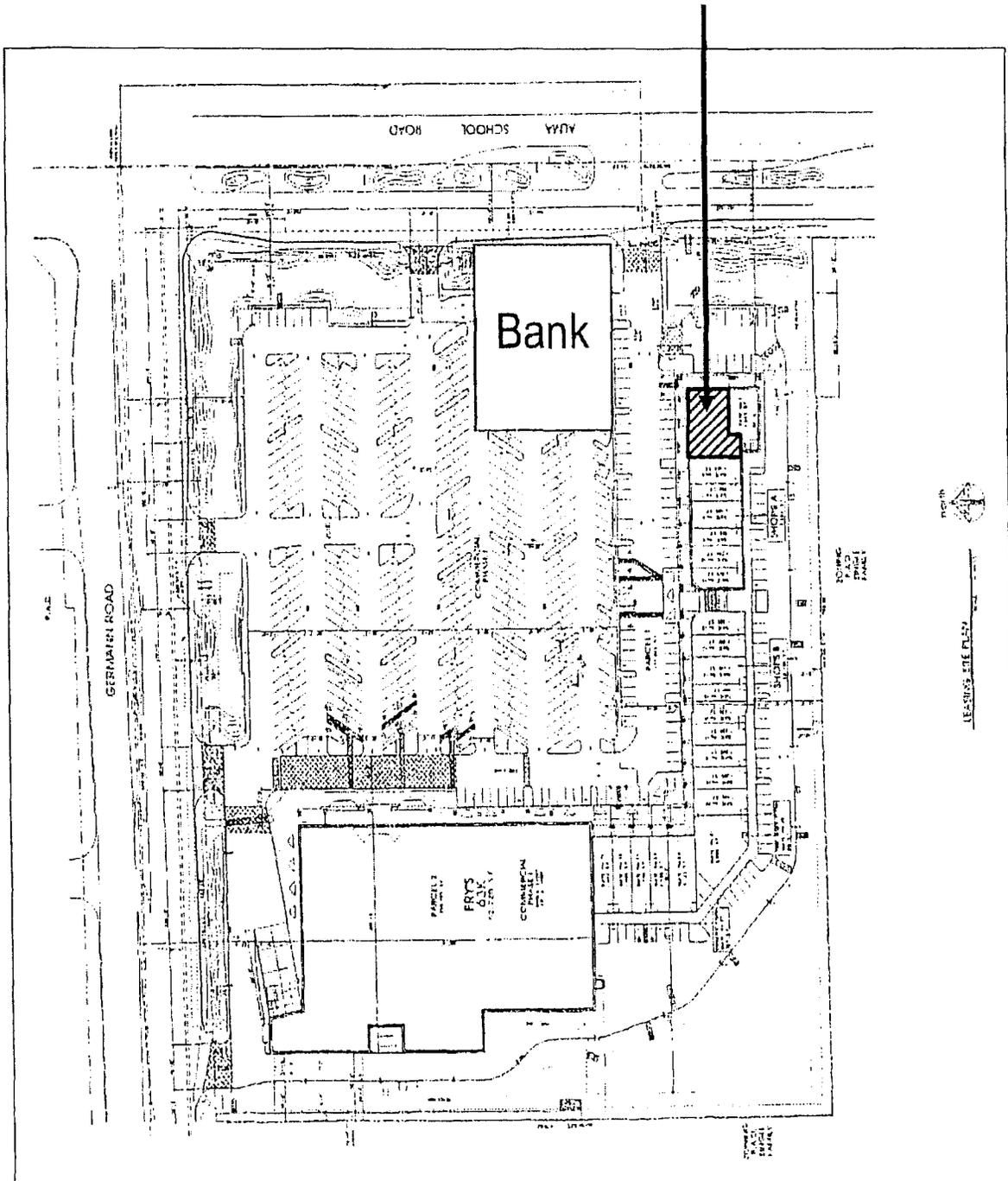
Hong Sik Moon

EXHIBIT "A"

SITE PLAN

THE SHOPPES AT CLEMENTE RANCH

Premises



Site plan

EXHIBIT "A-1"

SHOPS 1 - 11

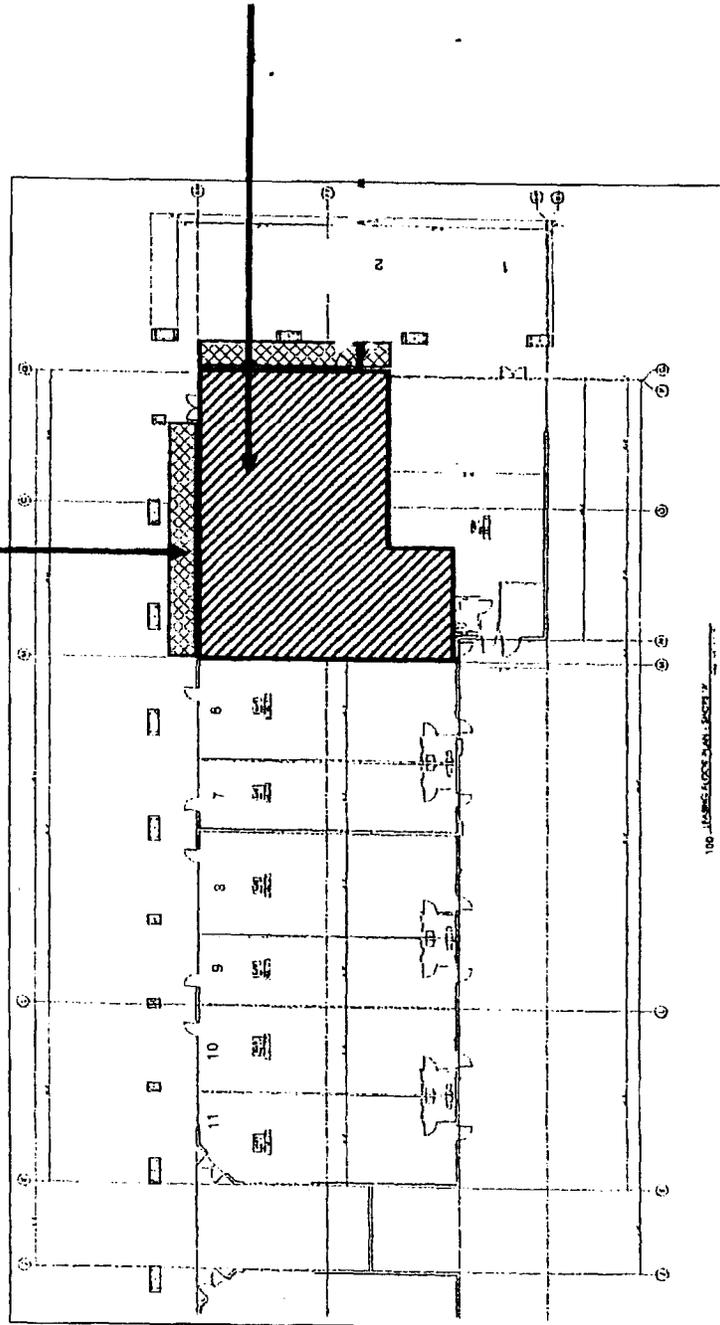
THE SHOPPES AT CLEMENTE RANCH

(NOT TO SCALE)



Premises

Existing
Patio Area



SITE PLAN

