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APR 26 2012

Chandler



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**Chandler · Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Transportation & Development – CC Memo No. 12-042**

**DATE:** APRIL 6, 2012

**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:** LUP12-0003 CAN'T STOP SMOKIN' BBQ

**Request:** Liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for a new restaurant

**Location:** 7250 W. Chandler Boulevard, northeast corner of 54<sup>th</sup> Street and Chandler Boulevard

**Applicant:** Theresa Morse for Carsten Heyer, Valley Smokers LLC

**RECOMMENDATION**

The request is for liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for a new restaurant. Planning Commission and Planning Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval.

**BACKGROUND**

The pad is part of a planned commercial center within the Chandler Technology Center Industrial Park. The building has been a restaurant over many years with the last business being Village Inn. The request is for a Series 12 restaurant license which 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.

The restaurant is approximately 5,100 square feet which includes a 2,100 square foot kitchen area. Seating capacity is estimated at 160 persons. There is no outdoor seating or patio area. Business operation hours are seven days a week from approximately 10 am to 10 pm. Interior

and some exterior tenant improvements are occurring at this time. The business intends to open in April 2012.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting will be held on April 3, 2012. Planning Staff will provide a report on the meeting at the hearing. There are no residential properties within the notification area, only surrounding commercial and industrial businesses.
- The Police Department has been informed of the application and responded with no concerns.
- At the time of the memo, Planning Staff is not aware of any concerns or opposition to this request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 7    Opposed: 0

### **RECOMMENDED ACTION**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of Liquor Use Permit LUP12-0003 CAN'T STOP SMOKIN' BBQ, subject to the following conditions:

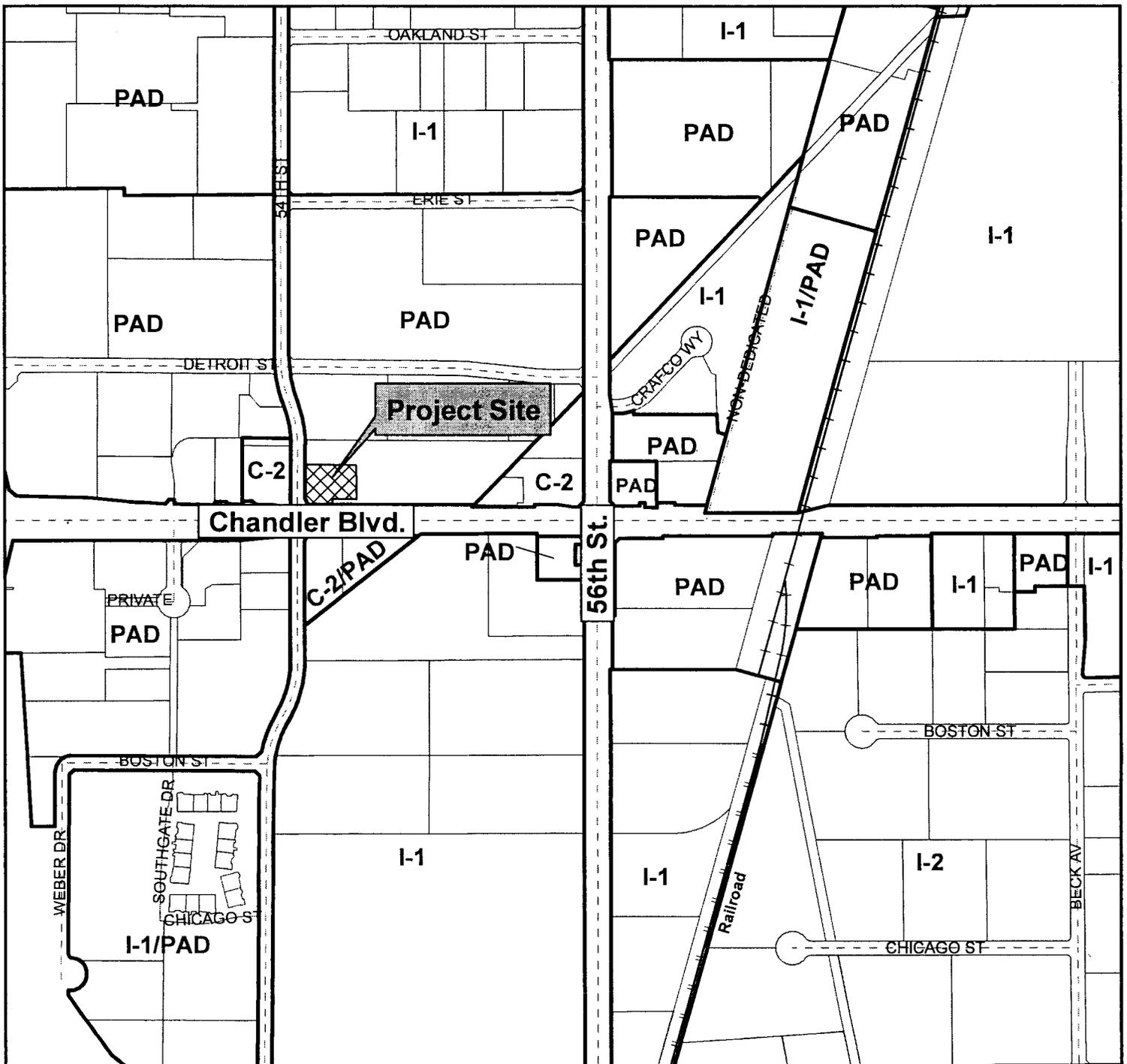
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses 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.

### **PROPOSED MOTION**

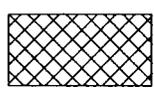
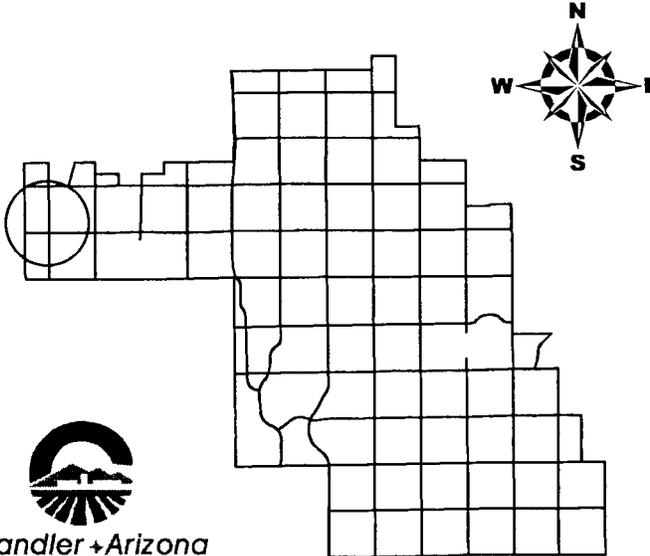
Move to approve Liquor Use Permit case LUP12-0003 CAN'T STOP SMOKIN' BBQ, subject to the conditions recommended by Planning Commission and Planning Staff.

### **Attachments**

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



**Vicinity Map**



LUP12-0003

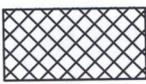
**Can't Stop Smokin' BBQ  
Liquor Use Permit**



**Chandler Blvd.**

**56th St.**

**Vicinity Map**



**LUP12-0003**

**Can't Stop Smokin' BBQ  
Liquor Use Permit**



Valley Smokers, LLC  
c/o Carsten Heyer  
7250 West Chandler Blvd.  
Chandler, AZ 85226  
December 7, 2011

Transportation & Development Dept.  
Planning Division  
Subject: Liquor Use Permit Request  
PO Box 4008  
Chandler, AZ 85244-4008

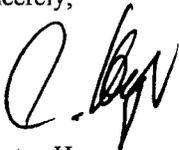
Dear State of Arizona and City of Chandler:

Please accept this request for a restaurant series 12 liquor use permit for Can't Stop Smokin' BBQ located at 7250 West Chandler Blvd, Chandler, AZ 85226. Located in the parking lot of Chandler Village Shopping Center but its own parcel on the corner of Chandler Blvd and 54<sup>th</sup> Street.

Can't Stop Smokin' BBQ will be serving beer only (cans and bottles, crafts and local only). Hours of operation are 10:00am-10:00pm (subject to open later if needed) 7 days a week. There will be approximately 8-14 employees on shift at any one time including managers. There will be 2-4 televisions with sports and news in the interior area of the restaurant (south side towards Chandler Blvd). The building is approximately 5100 square feet including approximately 2100 square feet of kitchen. There is no outdoor/patio seating and there is NO smoking. The number of seats will comply with maximum occupancy of building which is estimated at 160.

Conrad Studor – Director of Franchise Development (808)375-0113  
[Conrad@cantstopsmokin.com](mailto:Conrad@cantstopsmokin.com)  
Carsten Heyer – Franchise Owner (805)350-2915  
[pioneerlogusdiv@aol.com](mailto:pioneerlogusdiv@aol.com)

Sincerely,



Carsten Heyer  
Franchise Owner



