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FEB 28 2013
Chandler
All-America City
2010

MEMORANDUM **Transportation & Development – CC Memo No. 13-022**

DATE: FEBRUARY 7, 2013
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: JESSICA SARKISSIAN, AICP, CITY PLANNER *JS*
SUBJECT: LUP12-0036 CHOP

Request: Use Permit approval to sell liquor for on-premise consumption only within an existing restaurant and outdoor patio with music piped in (Series 12 Restaurant License)

Location: 2625 W. Queen Creek Rd, Suite 1;
 East of the southeast corner of Price and Queen Creek Roads

Applicant: Tony Eden

Zoning: Planned Area Development (PAD)

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan and Planned Area Development zoning, recommend approval subject to conditions.

BACKGROUND

The subject site is located east of the southeast corner of Queen Creek and Price Roads, within the Downtown Ocotillo commercial shopping center. The subject site is located within the end suite of an inline shop space. A parking lot is located north and south of the site. A vacant commercial pad site is located to the east of the site.

The subject suite is approximately 3,804 square feet interior to the roughly 17,000 square foot inline shop building and the outdoor patio is proposed at approximately 1,307 square feet. Seating is provided for approximately 199 persons, including 169 on the interior and 30 on the

patio. The restaurant will employ approximately 30 employees. The restaurant is open from 5 p.m. to midnight seven days a week.

The request is for Use Permit approval to sell all types of alcohol for on-premise consumption indoors and within an outdoor patio area under a Series 12 Restaurant License with piped in music through the patio speakers. The subject site has an existing Liquor Use Permit (LUP12-0013) which was approved on July 26, 2012. The only significant changes from the July 2012 approval are the addition of the outdoor patio area and piped in outdoor music. The patio is not proposed to be canopied or shaded. A condition addressing any potential noise concerns has been added as a condition of approval.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

DISCUSSION

Planning Commission and Staff support the request, finding that a restaurant with an outdoor patio and piped in music (indoor and outdoor) is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition during the neighborhood meeting and public notification processes.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on November 2, 2013 at the subject site. There were no neighbors in attendance.
- The Police Department has been informed of the application and has no issues or concerns.
- As of this writing, Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 6 Opposed: 0 Absent: 1 (Veitch)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and zoning, recommend approval of LUP12-0036 CHOP subject to the following conditions:

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

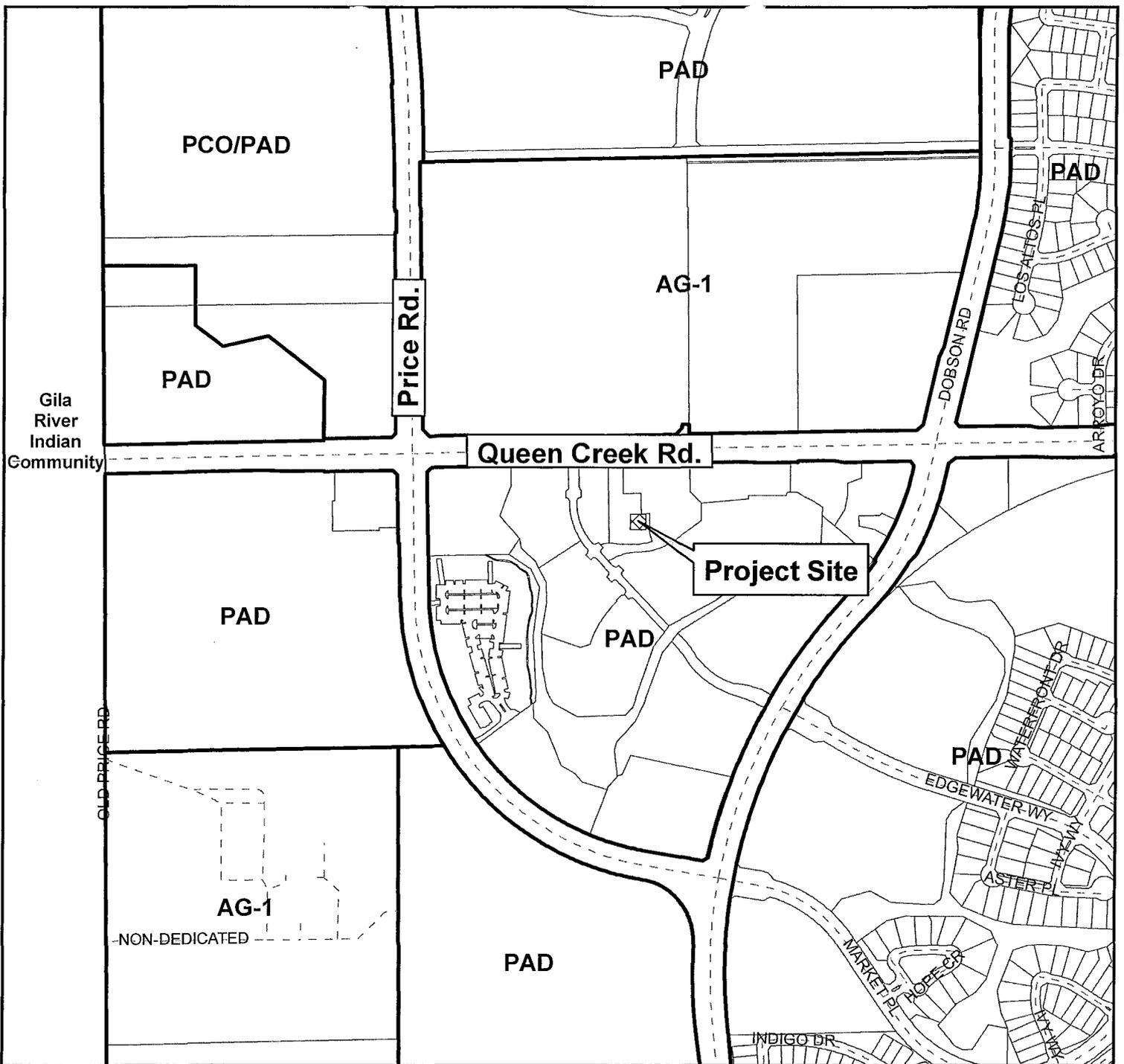
3. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).
4. The patio area shall not be enclosed from the existing pedestrian pathway until the adjacent pedestrian pathway is constructed opposite the water feature to the east.
5. The Use Permit is non-transferable to any other location.
6. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Liquor Use Permit application and approval.
7. 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.
8. The patio shall be maintained in a clean and orderly manner.

PROPOSED MOTION

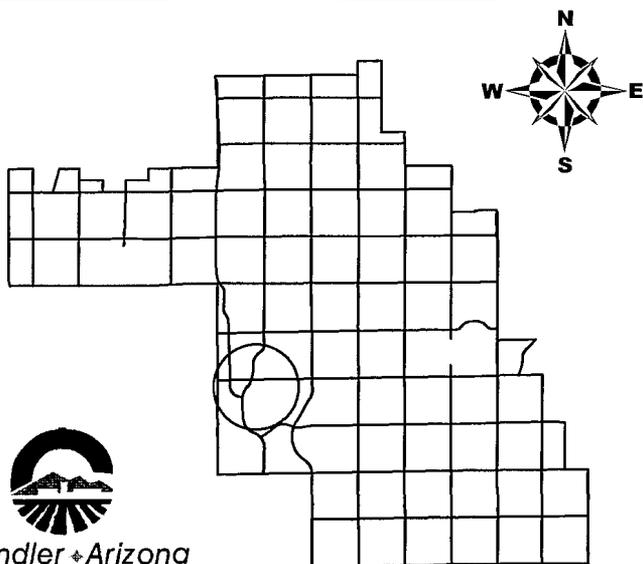
Move to approve LUP12-0036 CHOP Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Aerial
3. Floor Plan
4. Narrative
5. Menu

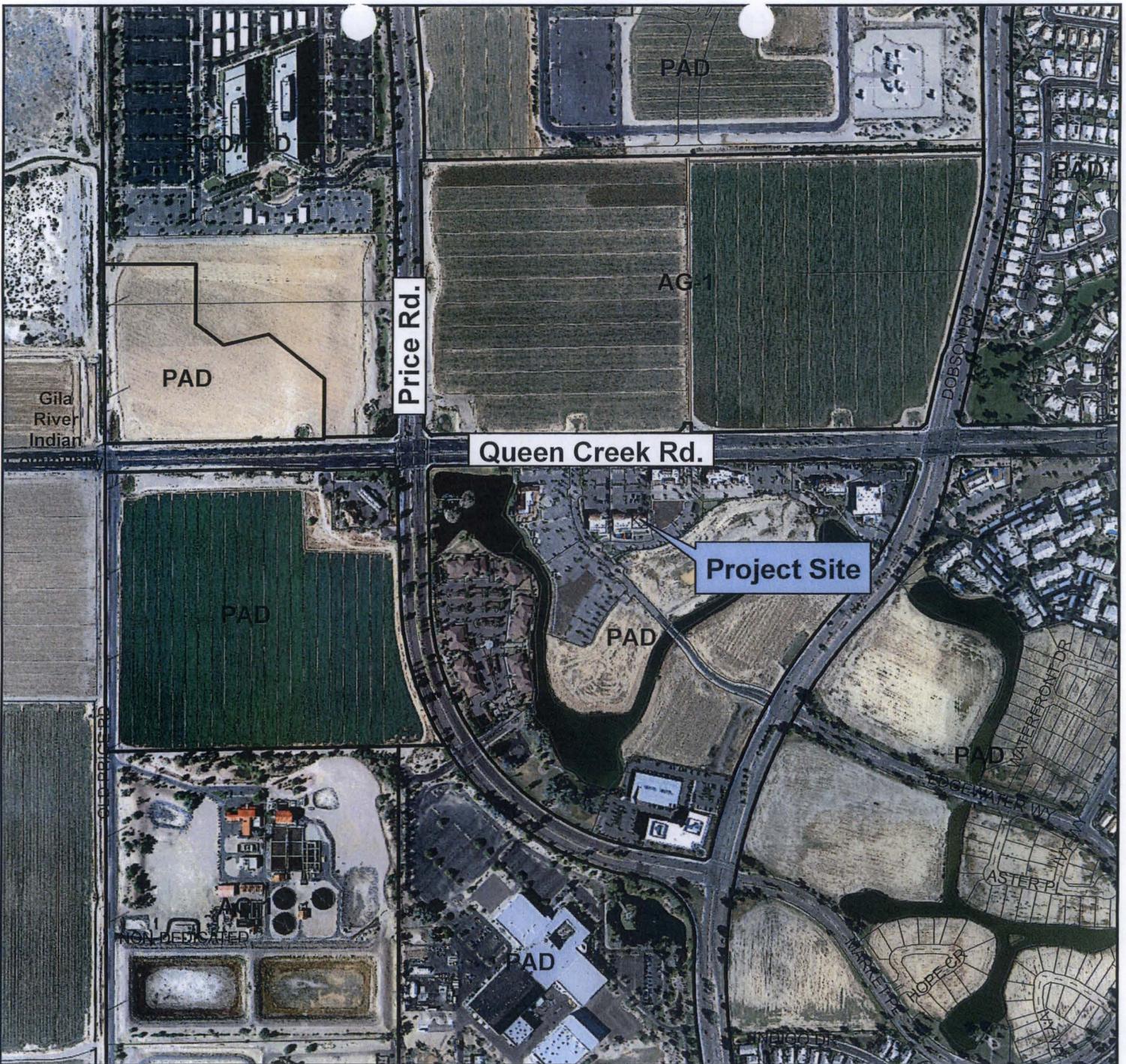


Vicinity Map

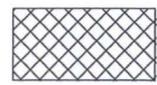
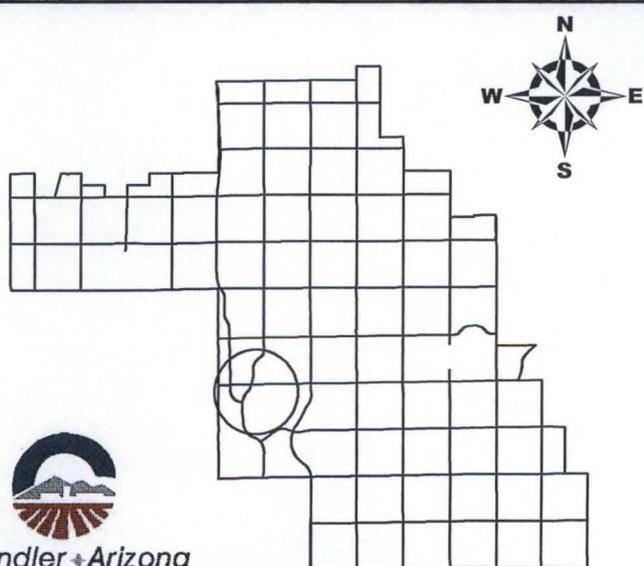


LUP12-0036

Ocotillo Grill dba Chop
Liquor Use Permit



Vicinity Map



LUP12-0036

**Ocotillo Grill dba Chop
Liquor Use Permit**



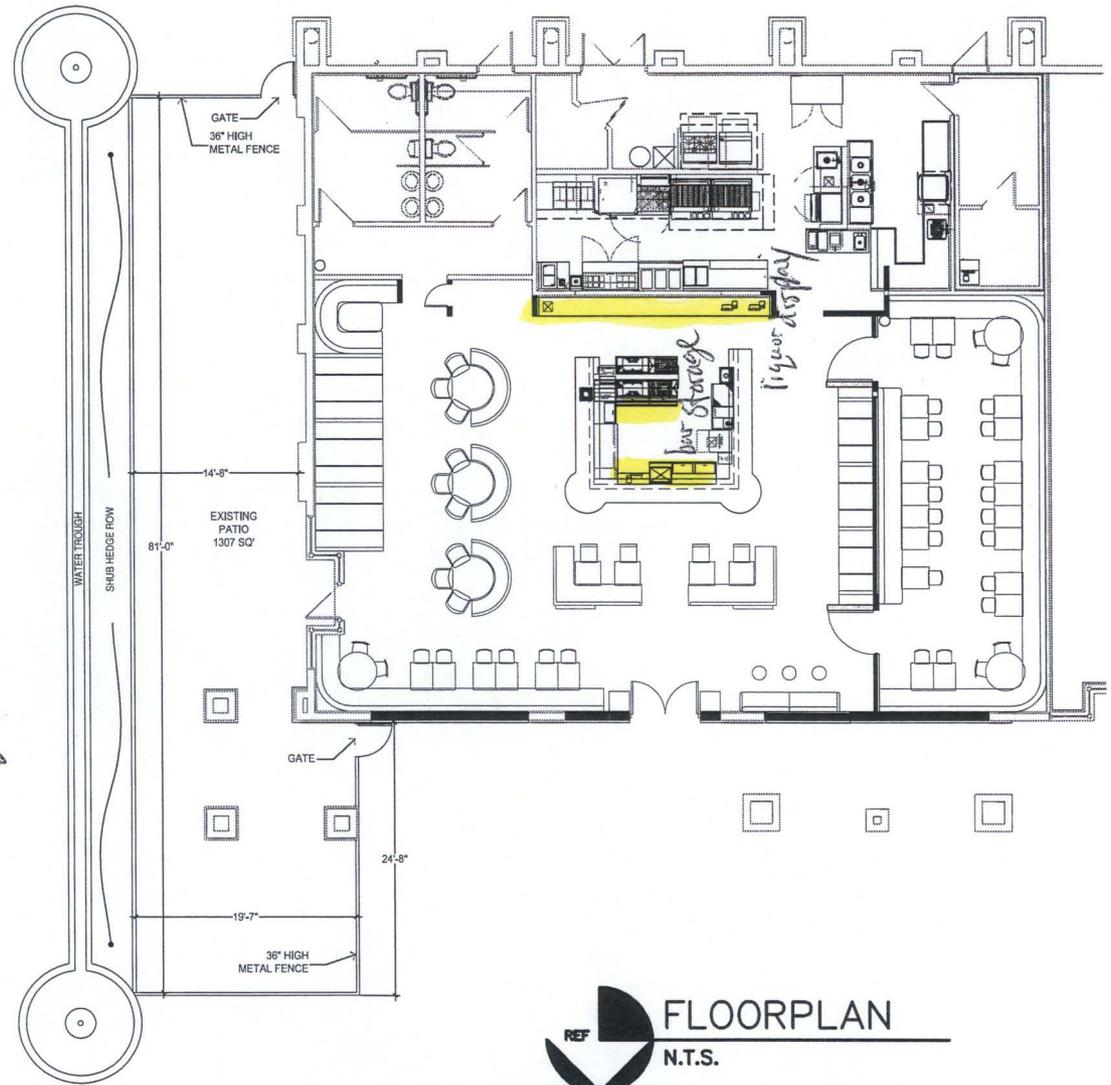
LUP12-0036; CHOP AERIAL



LUP12-0036; CHOP Aerial



Liquor storage



REF FLOORPLAN
N.T.S.

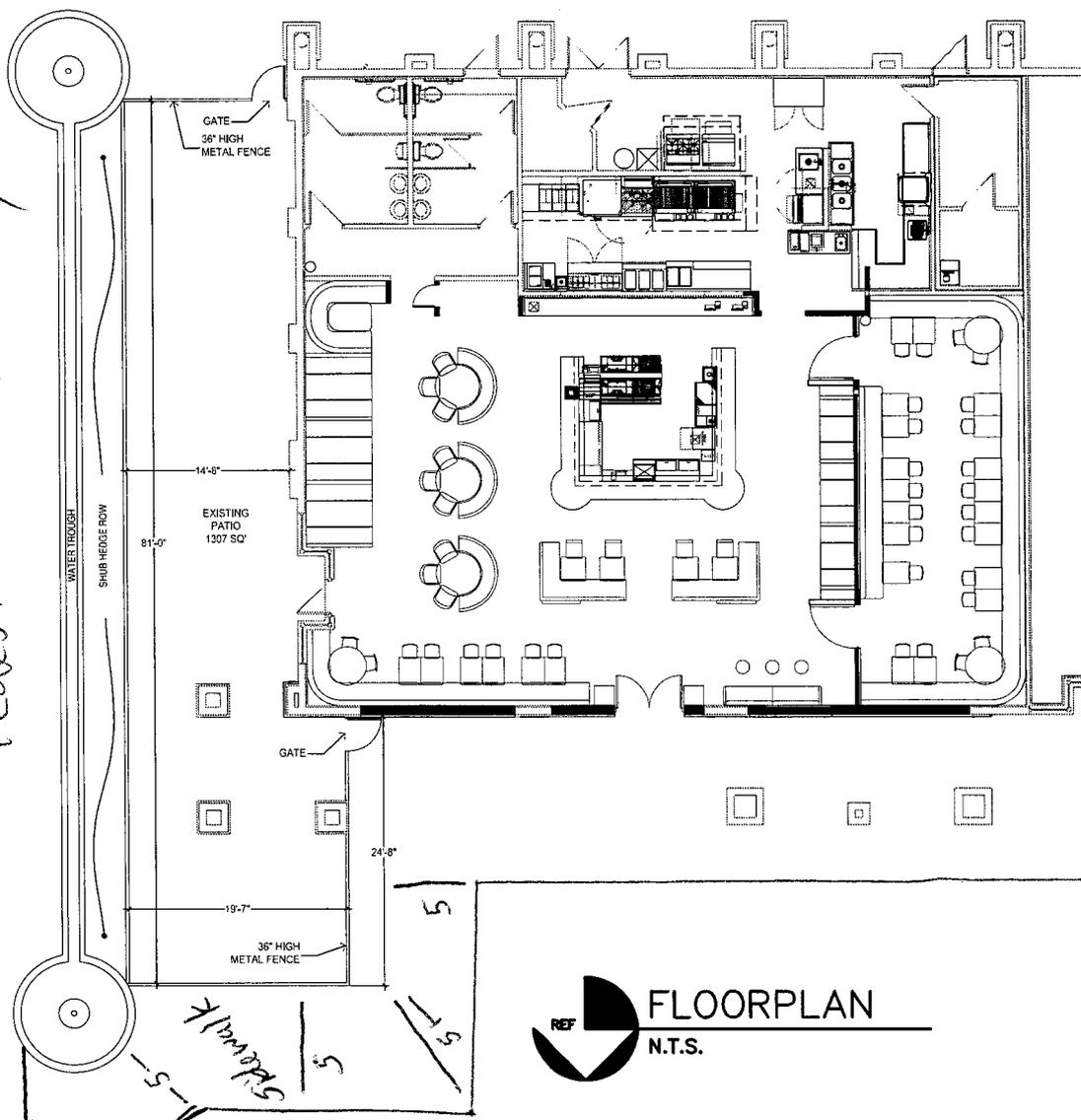


3540 S. CAMPBELL AVE.
TUCSON, AZ 85713
(520)-777-4475
Joseph@fsoneaz.com

CHOP

QUEEN CREEK, ARIZONA

Pedestrian Pathway



 **FLOORPLAN**
N.T.S.



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CHOP

QUEEN CREEK, ARIZONA

LUP EXTENSION REQUEST

We are requesting an extension to the liquor license for the patio at CHOP. It is an existing patio on the east side of the building. The official name of the business is Ocotillo Grill L.L.C. , but the D.B.A is CHoP. The address is 2625 W. Queen Creek Rd Suite 1, Chandler AZ 85248. CHoP is located on the southwest corner of Queen Creek and Dobson in the Downtown Ocotillo shopping center. We already have a liquor license, it is a series 12 license. We will be serving all types of liquor, wine, and beer. We will be open for dinners only from 5pm to 12 midnight. We will be open seven days a week. We will have about 30 employees. We will have no music amplification. The net acreage is 1.09 including the patio. The square footage inside is 3804, and the patio is 1307 square feet. We will not permit guest to smoke on the patio even if the door is closed. The occupancy inside is 169, and outside we hope to seat 30. The patio is exists already, and all we are doing is building a fence to enclose the area. There is a patio exit to the south side of the building.



STARTERS

- CHOPPED SPINACH & ARTICHOKE DIP 9**
REGGIANO CHEESE, SALSA, SOUR CREAM, WARM TORTILLA CHIPS
 - MESQUITE GRILLED ARTICHOKE 12**
BRUSHED WITH BUTTER, REMOULADE
 - AWESOME FRIES 7**
GREMOLATA, SPICY AIOLI, KETCHUP, PEPPER FLAKES
 - CAJUN SEARED AHI TUNA 14**
VINAIGRETTE, GINGER, WASABI, SOY
 - HICKORY SMOKED SALMON 12**
SLOW SMOKED, TOPPED WITH ONIONS & CAPERS
 - CRISPY ROCK SHRIMP 12**
LIGHTLY DUSTED, SPICY AIOLI
 - DOWNTOWN SALAD 5**
FIELD GREENS, SWEET CORN, BACON, EGG, CHERRY TOMATOES
 - CAESAR SALAD 5**
ANCHOVIES ON REQUEST
 - WEDGE SALAD 5**
ICEBERG, BLEU CHEESE, TOMATO, BACON, RED ONION
- Dressings: Buttermilk & Herb, Bleu Cheese, Champagne Vinaigrette, Honey Mustard**

ENTREES

- CLASSIC CHEESEBURGER* 12**
SHREDDED LETTUCE, TOMATO, ONION, MAYO, MUSTARD, CHOP FRIES
- OCOTILLO VEGGIE BURGER* 12**
HOUSE-MADE, BRUSHED WITH SOY, MELTED JACK, SWEET POTATO FRIES
- THE CHOP* 23**
HOUSE-CURED, DOUBLE-CUT PORK CHOP, BAKED POTATO, GREEN APPLE CHUTNEY
- BARBEQUE BABY BACKS* 24**
WITH CHOP FRIES AND LOCAL PICKLES
- CENTER CUT FILET* 32**
COMPOUND BUTTER, BROCCOLI
- MAUI RIB-EYE* 30**
MARINATED, BAKED POTATO
- BONE-IN NY STRIP* 38**
WITH SEASONAL VEGETABLES
- ROASTED PRIME RIB* 30** LIMITED AVAILABILITY
BAKED POTATO, CREAMY HORSERADISH SAUCE ON REQUEST
- PESTO SALMON* 24**
HARDWOOD GRILLED, SEASONAL VEGETABLES
- FRESH IDAHO TROUT* 24**
LIGHTLY SEASONED, GRILLED, ALMONDS, HERBS, SEASONAL VEGETABLES
- BARBEQUE CHICKEN 18**
MARINATED, GRILLED, LOCAL PICKLES, FRIES
- ASIAN CHICKEN SALAD 13**
FIELD GREENS, VINAIGRETTE, PEANUT SAUCE

SIDES 5

- LOADED BAKED POTATO**
- CHOP FRIES**
- SWEET POTATO FRIES**
- WHOLE GRAIN BARLEY SALAD**
- SAUTEED MUSHROOMS**
- BROWN RICE & BLACK BEANS**
- HOUSE-MADE COLESLAW**
- BROCCOLI WITH PARMESAN & LEMON**

DESSERTS 7

- LEMON ZEST CRÈME BRÛLÉE**
- OREO ICE CREAM SANDWICH** CHOCOLATE ESPRESSO SAUCE
- PECAN TORTE** VANILLA ICE CREAM, BUTTERSCOTCH SAUCE

ALL MESQUITE GRILLED, 100% ALL NATURAL ANGUS BEEF, NO ANTIBIOTICS, NO GROWTH HORMONES, NO STEROIDS, ALL VEGETARIAN DIET.

* These foods may be served cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

CHOP

CHANDLER

WINE BY THE GLASS

- ITALIAN BUBBLES MUSCATO 7** FRIZZANTE SPARKLING
- SCHARFFENBERGER 9** SPARKLING BRUT
- THE NED 7** NEW ZEALAND SAUVIGNON BLANC
- PROVENANCE 9** NAPA SAUVIGNON BLANC
- DOMINO 7** CALIFORNIA PINOT GRIGIO
- ANSELMI 9** ITALIAN PINOT GRIGIO
- PETER MERTESS 8** GERMAN RIESLING
- SILVER RIDGE 7** CALIFORNIA CHARDONNAY
- SONOMA-CUTRER 12** CALIFORNIA CHARDONNAY
- LUCKY STAR 7** CALIFORNIA PINOT NOIR
- SIVAS-SONOMA 9** SONOMA COAST PINOT NOIR
- PALI 12** SONOMA COAST PINOT NOIR
- PATZ & HALL 15** SONOMA COAST PINOT NOIR
- AMBERHILL 7** CALIFORNIA CABERNET BLEND
- CLAYHOUSE 9** PASO ROBLES CABERNET
- CONN CREEK 'HERRICK' 11** NAPA CABERNET BLEND
- UPPERCUT 14** NAPA CABERNET
- FATTO A MANO 9** ITALIAN MERLOT BLEND
- EVODIA 9** SPANISH GRENACHE
- ROSENBLUM 8** CALIFORNIA ZINFANDEL
- TILIA 8** ARGENTINA MALBEC
- ACCOMPLICE 7** AUSTRALIA SHIRAZ

SPECIALTY COCKTAILS

ALL CITRUS
HAND-PRESSED

- MOSCOW MULE 12**
RUSSIAN STANDARD VODKA, GINGER BEER, AGAVE NECTAR, LIME, MINT
- OCOTILLO SUNSET 12**
CIROC PEACH VODKA, ORANGE, LIME, POMEGRANATE
- CHOP-A-RITA 11**
SAUZA SILVER TEQUILA, WATERMELON, JALAPEÑO
- HEMINGWAY 10**
BACARDI SUPERIOR, GRAPEFRUIT, LUXARDO CHERRIES, LIME, AGAVE NECTAR
- APPLE JULEP 12**
BULLEIT BOURBON, CINNAMON WHISKY, AGAVE NECTAR, LEMON, LIME, MINT, GREEN APPLE
- BERRY CUP 10**
TITO'S VODKA, STRAWBERRIES, CRANBERRIES, LIME, AGAVE NECTAR
- RED WINE COCKTAIL 12**
CIROC RED BERRY VODKA, DARK CHERRY JUICE, RASPBERRIES, BLACKBERRIES, CRANBERRIES, AGAVE NECTAR
- ELDER MOJITO 12**
NOLETS GIN, ST. GERMAIN, AGAVE NECTAR, CUCUMBER, LIME, MINT

BEERS

- | | |
|---------------------------|------------------------|
| BOTTLE | DRAFT |
| MILLER LITE 4 | KILTIFTER 5 |
| HEINEKEN 5 | LAGUNITAS IPA 5 |
| TRIPEL KARMELET 10 | ANCHOR STEAM 5 |
| BUD / BUD LIGHT 4 | BLUE MOON 5 |
| MICHELOB ULTRA 4 | COORS LIGHT 4 |
| NEWCASTLE 5 | STELLA ARTOIS 5 |
| CORONA 4 | |

-CHoP-

KIDS MENU

\$6.95 each

Cheeseburger with Seasoned French Fries

Baby Back Ribs with Loaded Baked Potato

Grilled Chicken Breast with Side of Steamed Broccoli

CHoP Grilled Cheese & Side Salad

Macaroni & Cheese with Sliced Green Apples

**All entrees served with choice of
Milk, Lemonade, Sprite or Coke**