



MEMORANDUM

Planning Division – CC Memo No. 14-047

DATE: MAY 8, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 MARSHA REED, ASSISTANT CITY MANAGER *MR*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: SUSAN FIALA, CITY PLANNER *SF*

SUBJECT: LUP14-0005 PIZZA ON 87

Request: Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in a new restaurant with a new outdoor patio

Location: 1368 North Arizona Avenue, Suite 101, south of the southwest corner of Knox Road and Arizona Avenue

Applicant: Heath Kolpin

RECOMMENDATION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Regional Commercial (C-3) zoning, recommend approval with conditions.

BACKGROUND

The subject site is located at 1368 North Arizona Avenue, Suite 101, south of the southwest corner of Knox Road and Arizona Avenue, in the North Chandler Mall. Boost Mobile, Long Wong restaurant, a barber shop, and other retail businesses are located in the shopping center. Legacy Funeral Home is north and the developments surrounding the center contain commercial and industrial related uses. The San Mateo Estates single-family subdivision is west of the center.

The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in a new restaurant with a new outdoor patio.

Pizza on 87 is located in an end suite with the patio facing Arizona Avenue. The tenant space and outdoor patio are undergoing renovation. The suite floor area is approximately 1,264 square feet and accommodates 48 customer seats in the dining area and patio. The business anticipates hiring six to ten employees, full and part time, including delivery drivers. Hours of operation are proposed

from 10 a.m. until 10 p.m., Sunday through Thursday, and from 10 a.m. until 2 a.m. on Friday and Saturday. Background music is provided through house speakers. Two televisions are in the dining area and two in the patio. Although no live entertainment is proposed, the applicant has offered to provide a liaison name and contact information for concerned property owners to address any business operational concerns, including noise and music.

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. See attached menu.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held April 2, 2014. There were three attendees in addition to the applicant. The concerns expressed included the noise level from the outdoor patio, late night alcohol consumption leading to loitering in neighborhood, and television sports broadcast which may create noisy crowds. The applicant addressed each concern. Several of the solutions include: offering a liaison contact number and name to address noise issues prior to contacting the Police; late night hours are for delivery and the restaurant would close by 10 p.m. on weekdays and midnight on weekends; and the one year time limit placed on the use permit allows evaluation of the business operation.
- The Police Department has been informed of the application and responded with no concerns.
- Planning Staff received one phone call from a residential property owner who stated their concerns about noise at late hours and indicated they would call Police if awakened by noise. A letter of opposition was received and is attached.

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 zoning, recommend approval of Liquor Use Permit LUP14-0005 PIZZA ON 87, 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. The Use Permit shall remain in effect for one (1) year from the effective 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. The Use Permit is non-transferable to any other location.

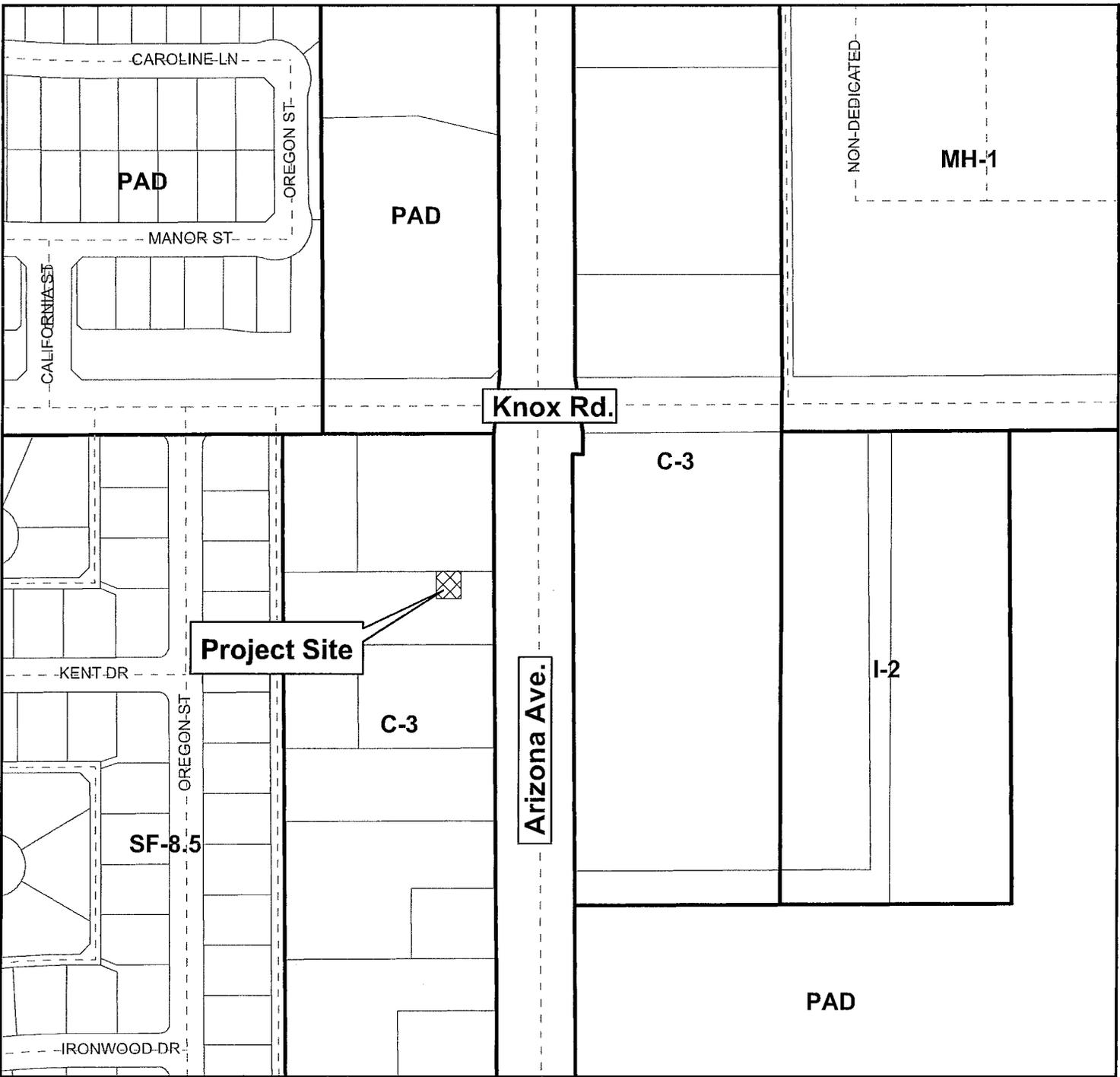
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
5. The site and patio shall be maintained in a clean and orderly manner.
6. No noise shall be emitted from the televisions and speakers located outdoors 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.
7. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

PROPOSED MOTION

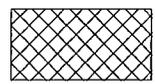
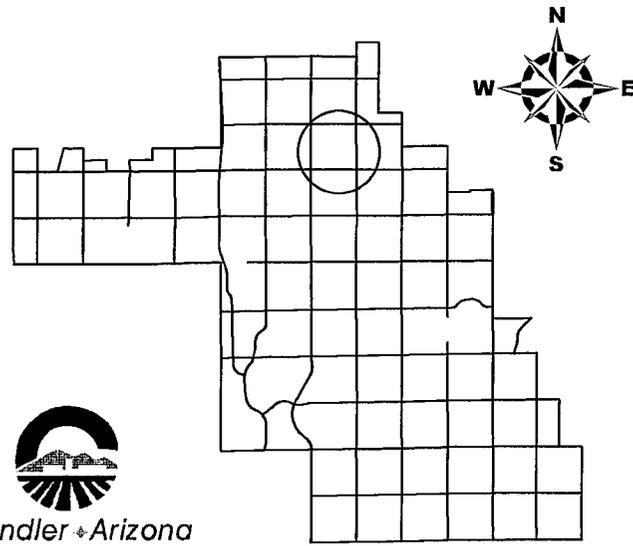
Move to approve Liquor Use Permit case LUP14-0005 PIZZA ON 87, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Narrative
5. Menu
6. Citizen Correspondence



Vicinity Map



LUP14-0005

**Pizza On 87
Liquor Use Permit**

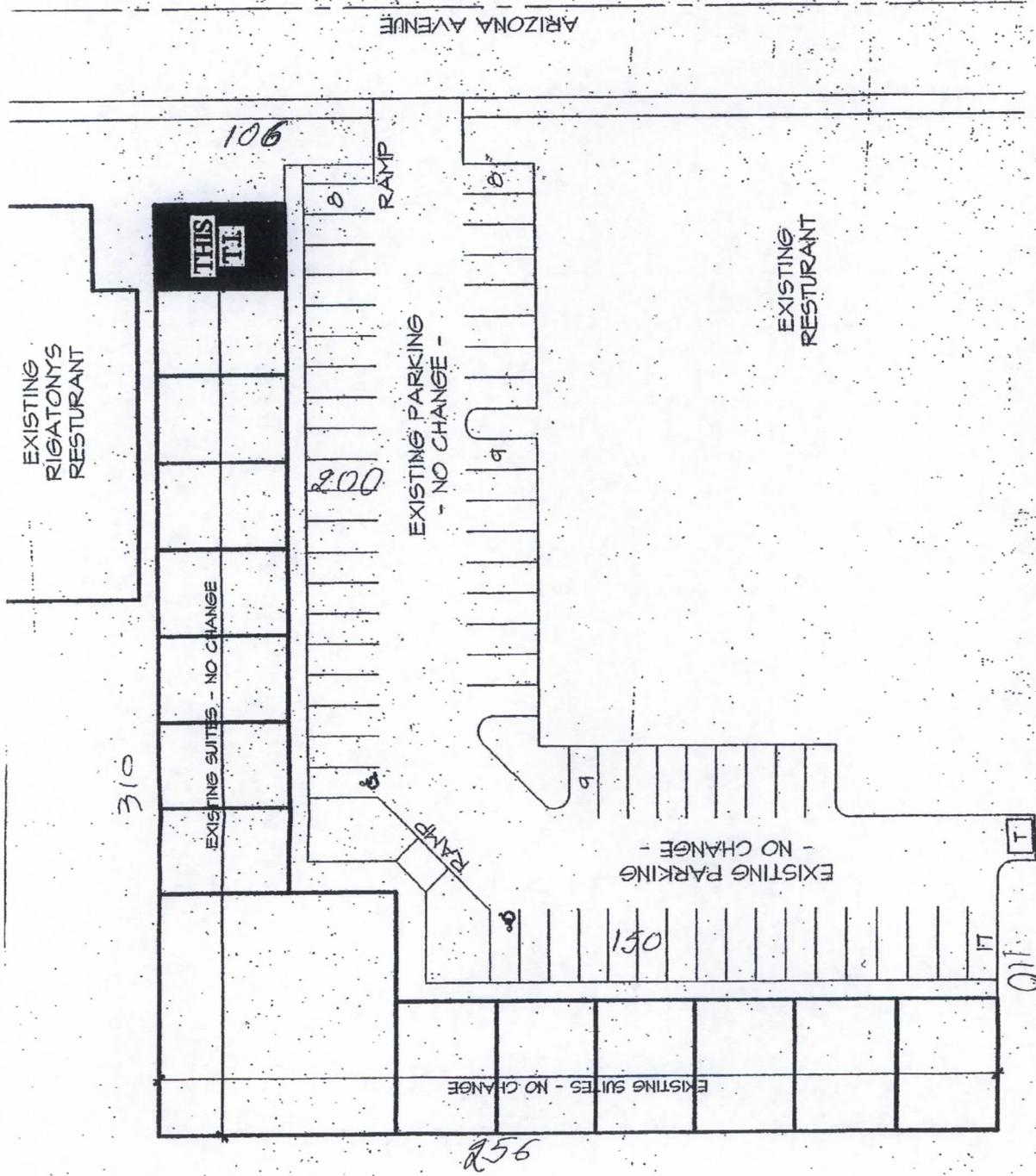


Vicinity Map



LUP14-0005

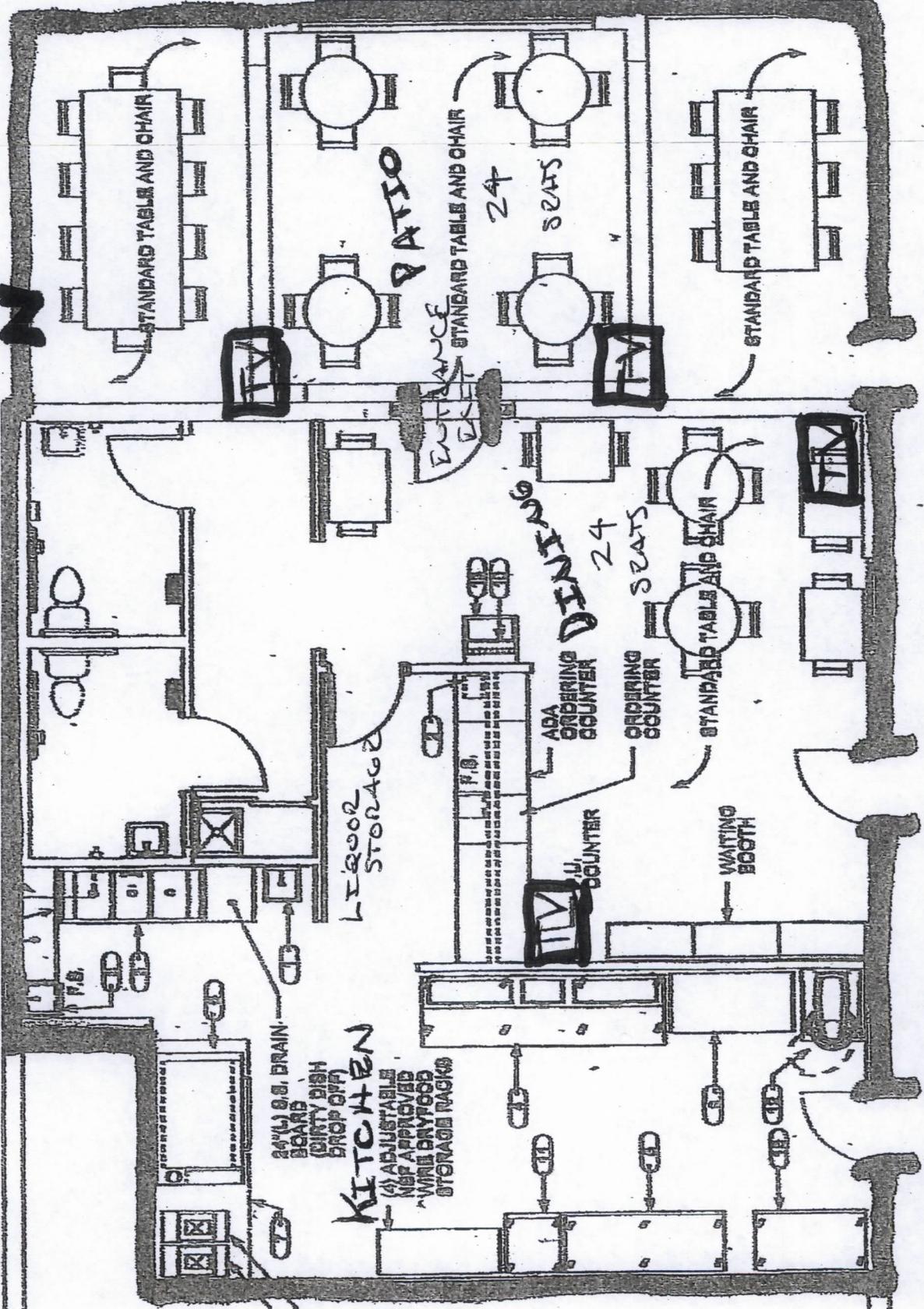
**Pizza On 87
Liquor Use Permit**



SITE PLAN
 SCALE: N.T.S.

TV = TV SPEAKERS

1,815 SQ FT



ENTRANCE

ENTRANCE

ENTRANCE

EXIT

EXIT

EXIT

Pizza on 87 Project Narrative

City of Chandler,

Pizza on 87, would like to request a Use Permit to allow for the sale and consumption of beer, wine and liquor via State of Arizona Series 12 Restaurant Liquor License. This request would include the sale and consumption of alcohol inside our 1,264 sq. ft unit as well as outdoors on our 551 sq. ft. patio (the patio will be enclosed as to comply with Title 4 of Arizona Revised Statutes). The proposed location is 1368 N. Arizona Ave. # 101, Chandler, AZ. 85225. The lot number associated with this request (according to Maricopa County Assessors web-site) is: 302-44-007R.

The menu for Pizza on 87 will primarily consist of Pizza, Salads and Wings, however various Pastas, Desserts and other menu items may be explored in the future - other services will include food delivery.

Entertainment will consist of basic background music through the use of speakers as well as 4 televisions located both inside and on the patio. A liaison will be designated and the liaison's name and contact information will be made available to neighbors for them to contact with any concerns including any disruptive noise or loud music.

The total number of seats is approximately 48, which consists of about 24 indoors and 24 outdoors.

We anticipate hiring approximately 6 to 10 employees (including drivers) varying between full and part time and our projected hours of operations will be 10:00 am. and 10:00 pm. Sunday thru Thursday and 10:00 am. to 2:00 am. on Friday & Saturday.

Thank you for your time and consideration on this matter,

Heath Kolpin
Pizza on 87

Pizza on

SALADS
WINGS



— OUR SLICES ARE WORTH THE TRIP —



"Huge" Slice.....\$3.00
 .50 per extra Topping .25 for to go box



APPITIZERS

Garlic Knots.....	\$ 3.99
Cheese Bread.....	\$ 3.99
Mozzarella Sticks	\$ 3.99
Fried Zucchini.....	\$ 3.99
Fried Mushrooms.....	\$ 3.99
Chicken Strips.....	\$ 3.99
French Fries.....	\$ 2.99



SALADS

House Salad	\$ 4.99
Mixed Greens, Black Olives, Red Onions, Banana Peppers, Tomato's, Mozzarella Cheese	
Caesar Salad	\$ 4.99
Mixed Greens, Caesar Dressing and Crotons	
Anti-Pasta Salad	\$ 6.99
Mixed Greens, Italian Meats, Black Olives, Roasted Peppers, Red Onions, Tomatoes, Mozzarella Cheese	
Add meats to any salad.....	\$ 2.00



WINGS

10 Wings	\$ 7.99
20 Wings	\$ 14.99
30 Wings	\$ 21.99

Mild, Hot, BBQ, Spicy BBQ, Honey BBQ, Teriyaki



SPECIALTY PIZZA'S

The "THE 87"

Pepperoni, Sausage, Mushroom, Red Onions, Roasted Peppers and Cheese

Meat Me

Pepperoni, Sausage, Ham, Bacon, Meatballs and Cheese

Veg Head

Mushroom, Red Onions, Spinach, Roasted Peppers, Tomato's and Cheese

14" Large
\$13.99

16" X-Large
\$16.99

18" Jumbo
\$19.99

28" Big Boy
\$35.99

MADE TO ORDER PIZZA'S

	14" Large	16" X-large	18" Jumbo	28" Big Boy
1 Topping	\$ 6.99	\$ 8.99	\$ 10.99	\$ 23.99
Extra Topping	\$ 1.75	\$ 2.00	\$ 2.25	\$ 3.00
Premium Topping	\$ 2.00	\$ 2.25	\$ 2.50	\$ 3.25

TOPPINGS

Cheese: Mozzarella, Ricotta

Veggies: Artichoke Hearts Black Olives, Green Olives, Jalapeno, Mushrooms, Red Onions, Pineapples, Roasted Peppers, Spinach, Tomatoes, Garlic

Meats: Pepperoni, Ham, Sausage, Meatballs, Ground Beef, Bacon, Chicken



BEVERAGES

24 oz Soda	\$1.50
RC, Diet RC, Root Beer, Lemonade, Orange, Dr. Pepper, Ice Tea, 7-up	
2 Liters	\$2.50
RC, Diet RC, Root Beer, Dr. Good Guy, Orange, Sun Drop, Grape, 7- Up	
Bottle Water	\$1.00

Bottle Beer	3.00	Draft Beer	3.00
Bud		Bud Light	
Bud Light		Dos Equis	
Coors light		Local Draft Brew	
Miller Lite			
Negra Modelo			
Negra Especial			

Glass of Wine	
Cab	4.50
White Zin	4.50
Merlot	4.50

Extras:

Side Of Ranch	.46	Side of Blue Cheese	.46
Side Of Marinara	.46	Side of Jalapeños	.46
Side of Pizza Sauce	.46		
Side of House Dressing	.46	Side of Wing Sauce	.46
Parmesan cup	.46	Red Pepper Cup	.46
Chips	\$1.00	Pickles Spears .46/ Whole	\$1.00

We deliver, \$2.00 delivery charge with a \$15.00 minimum.

ARIZONA AVE. ANIMAL CLINIC
7 West Knox Road
Chandler, Arizona 85225

Attention to Susan Fiala, City Planner with the City of Chandler:

April 3, 2014

Dear Susan,

This letter is written in reference to LUP14-0005 Pizza on 87 1368 N. Arizona Avenue, Suite 101. Specifically in regards to a use permit application concerning the sale of liquor.

I have worked in this neighborhood for thirty-three years and have spent more of my life during that time in this neighborhood than I have in my own home. I consider this community my own.

The most destructive drug problem I have witnessed has been that of alcohol. The alley that runs adjacent to the businesses of this area will tell you the sad story of this quiet family neighborhood. Although in past years I have had to remove individuals shooting up drugs from our parking lot and roust people smoking dope in the alley adjacent to our hospital, currently the most pervasive blight is that of alcohol bottles of all types strewn throughout the area. The majority of the debris we clean off of our lot and from our adjacent alley is alcohol containers discarded there from those frequenting the alley and passers by.

I am far from a prude folks and over the years the City of Chandler and the Chandler Police officials deserve credit for improving the condition of our neighborhood from past conditions and we are grateful for that. But over the 33 years I have worked in this community I have seen what happens from past applications such as the above. Having yet another source of readily available alcohol right next to our neighborhood can only hurt our families and children that live here, no matter what innocent guise it is cloaked.

If you wish to preserve what is good about Chandler please take a hard, honest look at what you allow into the neighborhoods of our city. I would like to go on record strongly opposed to the above referenced permit to sell alcohol in our neighborhood.

Please do the right thing for Chandler, our neighborhood, and the families and children that live here. Deny this permit. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "John Gardetto, D.V.M." The signature is written in a cursive style with a large initial 'J'.

Dr. John Gardetto
Arizona Ave. Animal Clinic
7 West Knox Road
Chandler, AZ 85225