



**MEMORANDUM                      Transportation & Development - PZ Memo No. 12-107**

**DATE:**            NOVEMBER 14, 2012

**TO:**                PLANNING AND ZONING COMMISSION

**THRU:**            R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR  
                          JEFF KURTZ, PLANNING ADMINISTRATOR  
                          KEVIN MAYO, PLANNING MANAGER *KM*

**FROM:**            DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER *DDT*

**SUBJECT:**        LUP12-0026 U.S. EGG RESTAURANT

**Request:**        Use Permit approval to sell liquor as permitted under a Series 12 restaurant license for on-premise consumption and within an outdoor patio

**Location:**      5840 W. Chandler Blvd (East of the northeast corner of Chandler Blvd and Kyrene Rd)

**Applicant:**     Theresa Morse

**RECOMMENDATION**

Finding consistency with the General Plan and Planned Area Development (PAD) zoning, Staff recommends approval subject to conditions.

**BACKGROUND**

U.S. Egg is located on the northwest corner of Chandler Blvd and Gila Springs Blvd, east of Kyrene Road. The restaurant, which was constructed in 2010 and opened for business in 2011, only serves breakfast and lunch from 6:30 am to 2:30 pm and is open seven days a week. The interior of the restaurant seats approximately 200 and an outdoor patio (located on the south side of the building facing Chandler Blvd) seats approximately 25 people. The applicant has indicated that there will be no entertainment activities such as live music, outdoor music speakers, or pool tables.

The application requests liquor Use Permit approval to sell liquor as permitted by a Series 12 restaurant license within the restaurant and outdoor patio area. 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.

**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 October 30, 2012. One resident attended the meeting who expressed support of the requested Use Permit.
- 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.

**RECOMMENDED ACTION**

Planning Staff, upon finding consistency with the General Plan, recommends approval of liquor Use Permit LUP12-0026 U.S. EGG RESTAURANT, subject to the following conditions:

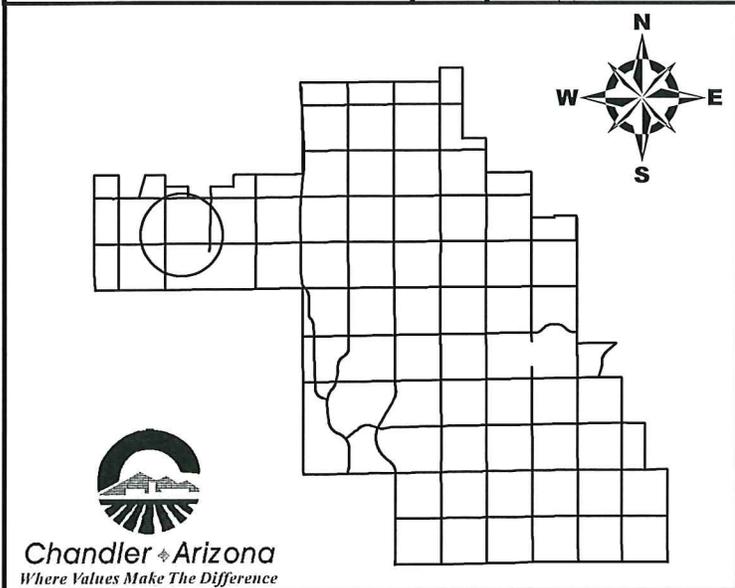
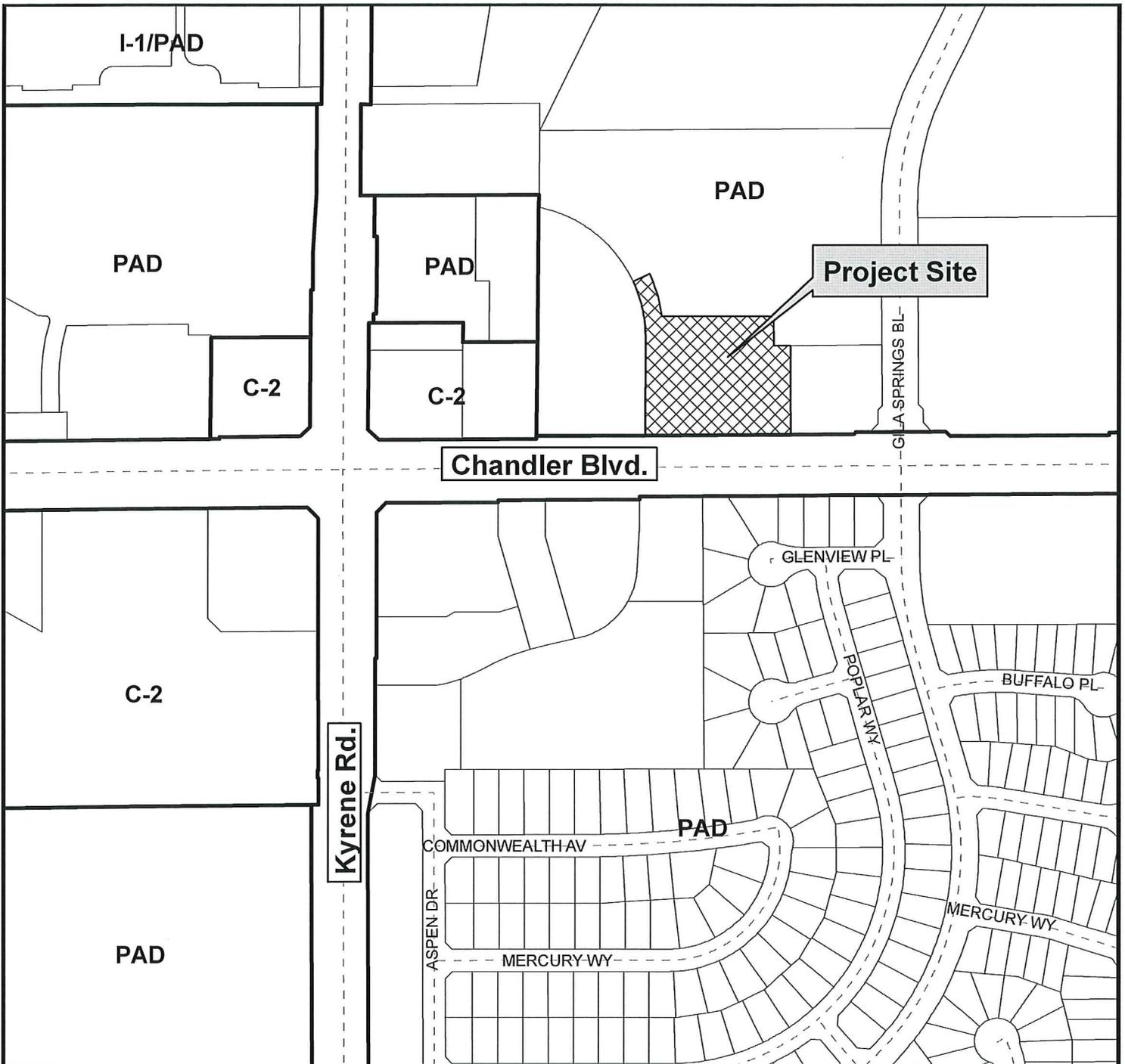
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 12 (restaurant license) only, and any change of licenses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

Motion to recommend approval of liquor Use Permit case LUP12-0026 U.S. EGG RESTAURANT, subject to the conditions recommended by Staff.

**Attachments**

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

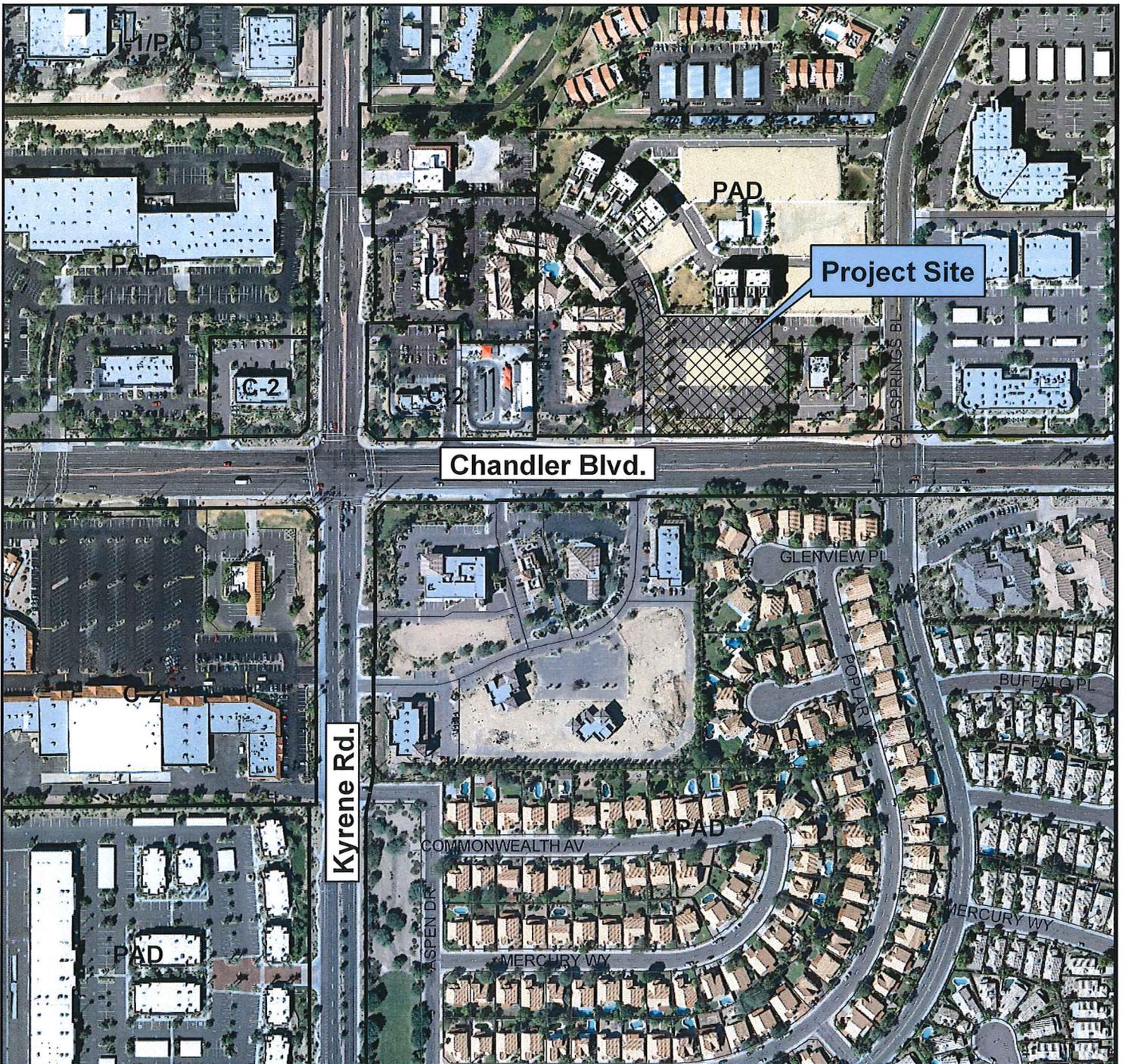


**Vicinity Map**



LUP12-0026

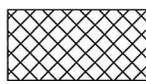
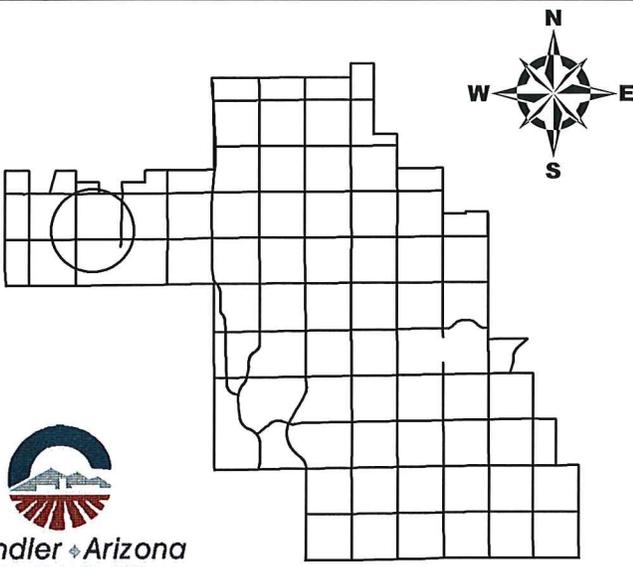
**U.S. Egg Restaurant  
Liquor Use Permit**



**Chandler Blvd.**

**Kyrene Rd.**

## Vicinity Map



**LUP12-0026**

**U.S. Egg Restaurant  
Liquor Use Permit**

**PROJECT NARRATIVE**  
**Use Permit LUP-12-0026**

For its Project Narrative, in accordance with the requirements of the City of Chandler Liquor Use Permit Application, US Egg - Chandler, LLC dba U.S. Egg Restaurant states as follows:

U.S. Egg Restaurant is submitting this Use Permit application to allow for alcohol consumption on the premises of the restaurant located at 5840 W. Chandler Blvd, (Northwest corner of Gila Springs and Chandler Blvd) Chandler, Arizona 85226. This application is to request approval of the Liquor Use Permit allowing on-site consumption of alcoholic beverages inside the establishment and on the fenced outdoor patio. This series liquor license does not permit package to go sales. This type of license does not have minimum distance requirements from churches or schools. The consumption of alcoholic beverages at this site will not negatively impact residents or other businesses within the surrounding area.

The Chandler restaurant is one of four family owned and operated restaurants in the metropolitan Phoenix area. This U.S. Egg restaurant was constructed in 2010 and opened to the public in 2011. This is a request for approval to sell spirituous liquor with on-site consumption within the restaurant and adjacent fenced outdoor patio. The restaurant offers Breakfast and Lunch meals and will continue to operate 7 days a week from 6:30 am until 2:30 pm. A copy of the existing menu with existing hours of operation is attached. There are no entertainment related activities such as live music, outdoor music speakers, pool tables, or the like requested. The restaurant currently employs 20 people. The interior of the restaurant seats approximately 200 and the outdoor patio seats 25 people.

U.S. Egg Restaurant has a large existing clientele due to the quality of the food and exceptional service. Weekends are especially busy for breakfast at the U.S. Egg Restaurant with many customers desiring to enjoy alcoholic beverages such as a mimosa (Champagne and orange juice) with their breakfast or brunch. The consumption of alcoholic beverages on premises will complement the food service provided by the restaurant. A restaurant series liquor license is permitted to sell all types of spirituous liquor for consumption on the premises only. A small outdoor patio on the south side of the business will be used for food and alcohol consumption. The patio is contiguous with the restaurant and is enclosed with iron fencing with access from interior doors of the restaurant to service customers seated on the patio. There is existing landscaping previously approved by the City of Chandler to produce a safe, inviting and aesthetically appealing dining area.

The U.S. Egg Restaurant will be closed every day at 2:30 pm. Therefore, the issuance of a Use Permit will not disrupt the existing balance of daytime and nighttime

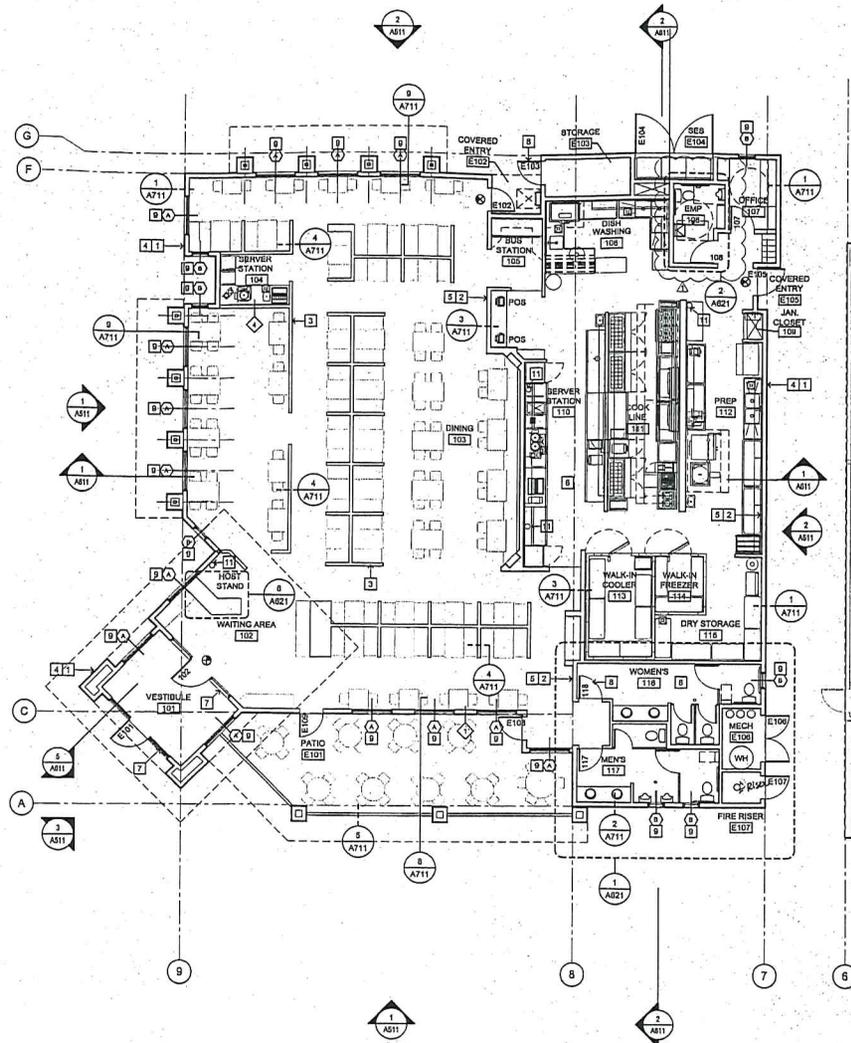
uses and will not affect vehicular or pedestrian traffic in the adjacent parking lots as there is adequate parking and entrances/exits to the businesses, and properties on the northwest corner of Gila Springs and Chandler Blvd.

If you should have any additional questions you may contact me at the number listed below.

Sincerely,

Theresa J. Morse  
Consultant  
480-353-8035





1 FLOOR PLAN  
SCALE: 1/8" = 1'-0"



FLOOR PLAN NOTES:

- 1 PROVIDE EXTERIOR WALLS OF MINIMUM 2X4 WOOD FRAMING WITH MINIMUM 1/2" PLYWOOD SHEATHING AS SPECIFIED ON THE STRUCTURAL DOCUMENTS AND MINIMUM 5/8" GYPSUM WALLBOARD ON INTERIOR SIDE. PROVIDE ALL BLOCKING REQUIRED FOR MOUNTING OF FIXTURES AND EQUIPMENT. ALL FIRE BLOCKING REQUIRED BY SECTION 717 CONCEALED SPACES, AND ALL BLOCKING REQUIRED FOR STRUCTURAL DESIGN. PROVIDE MINIMUM 1/2" R-19 BATT INSULATION IN ALL EXTERIOR WALLS FOR THERMAL PROTECTION. REFERENCE WALL TYPES, SHEET A711. COORDINATE WITH ROOF/CEILING ASSEMBLY INSULATION REQUIREMENTS TO COMPLETE THE BUILDING ENVELOPE.
- 2 PROVIDE INTERIOR WALLS AND PARTITIONS OF MINIMUM 2X4 WOOD FRAMING WITH MINIMUM 5/8" GYPSUM WALLBOARD ON EACH SIDE. PROVIDE ALL BLOCKING REQUIRED FOR MOUNTING OF FIXTURES AND EQUIPMENT. ALL FIRE BLOCKING REQUIRED BY SECTION 717 CONCEALED SPACES, AND ALL BLOCKING REQUIRED FOR STRUCTURAL DESIGN. REFERENCE STRUCTURAL DOCUMENTS FOR DESIGN AND SPECIFICATION OF SIZE, SPACING, LATERAL BRACING, ANCHORAGE, SHEATHING, AND SHEAR DIAPHRAGMS. PROVIDE MINIMUM 3/2" R13 BATT INSULATION IN ALL INTERIOR WALLS AND PARTITIONS FOR SOUND ATTENUATION. REFERENCE WALL TYPES, SHEET A711.
- 3 PROVIDE HALF WALL PARTITION AT 48" A.F.F. OF MINIMUM 2X4 WOOD OR LIGHT GAUGE METAL STUD FRAMING WITH MINIMUM 5/8" GYPSUM WALLBOARD ON EACH SIDE. PROVIDE METAL POSTS WITHIN WALL AND ALL BLOCKING REQUIRED FOR MOUNTING OF FIXTURES AND EQUIPMENT REQUIRED FOR STRUCTURAL DESIGN. REFERENCE WALL TYPES, SHEET A711.
- 4 REFERENCE APPROVED COLOR AND MATERIALS PALETTE A511 FOR EXTERIOR FINISHES. PROVIDE MATERIAL FINISHES, COLORS AND TEXTURES SELECTED BY OWNER AND IN ACCORDANCE WITH APPROVED CITY DESIGN REVIEW DOCUMENTS.
- 5 PROVIDE INTERIOR FINISHES APPLIED TO GYPSUM WALLBOARD WHERE SHOWN ON THE FINISH SCHEDULE, SHEET A821. PROVIDE MINIMUM 5/8" MOISTURE RESISTANT (MR) GYPSUM WALLBOARD IN ALL WET LOCATIONS AND BEHIND WET CASEWORK INCLUDING TOILET ROOMS.
- 6 PROVIDE INTERIOR FINISHES APPLIED TO CONCRETE SLAB-ON-GRADE WHERE SHOWN ON THE FINISH SCHEDULE, SHEET A821. COORDINATE DEPRESSED SLAB REQUIREMENTS WITH STRUCTURAL DOCUMENTS.
- 7 PROVIDE ALUMINUM STOREFRONT DOORS AND CURTAIN WALLS WHERE SHOWN ON THE DOOR, WINDOW, AND HARDWARE SCHEDULE, SHEET A811.
- 8 PROVIDE HOLLOW METAL DOORS AND FRAMES PER THE DOOR, WINDOW, AND HARDWARE SCHEDULE, SHEET A811.
- 9 PROVIDE WINDOW AND WINDOW ASSEMBLIES WITH GLAZING WHERE SHOWN AND AS NOTED AND SPECIFIED ON THE DOOR, WINDOW, AND HARDWARE SCHEDULE, SHEET A811.
- 10 PROVIDE A ROOF DRAINAGE SYSTEM WITH DOWNSPOUT LEADERS RUN IN EXTERIOR SPACES WHERE AND AS SHOWN. REFERENCE ROOF PLAN SHEET A411.
- 11 PROVIDE FIRE EXTINGUISHERS IN ACCORDANCE WITH NFPA 10 AND AS APPROVED BY THE LOCAL FIRE AUTHORITY.

GENERAL FLOOR PLAN NOTES:

1. PROVIDE A COMPLETED STRUCTURE, PROPERLY SITED WITH ADEQUATE POSITIVE DRAINAGE AWAY FROM THE BUILDING TO PREVENT FLOODING. REFERENCE SITE PLAN AND CIVIL DOCUMENTS.
2. PROVIDE FINISH GRADE AT MINIMUM 5" BELOW TOP OF CONCRETE SLAB ON GRADE AND SLOPE AWAY FROM THE BUILDING A MINIMUM SLOPE OF 1/20 FOR A MINIMUM DISTANCE OF 10'-0". TRANSITION FINISH GRADE AS REQUIRED TO ALL REQUIRED ACCESSIBLE ENTRY AND EXITS DOORS IN COMPLIANCE WITH THE ADOPTED, AMENDED, AND ADMINISTERED STANDARDS OF THE LOCAL BUILDING AUTHORITIES.
3. FURNITURE AND KITCHEN EQUIPMENT FURNISHED BY OWNER.
4. PROVIDE A COMPLETE AND OPERATIONAL MECHANICAL SYSTEM. COORDINATE PLACEMENT OF ALL UNDERSLAB MECHANICAL WORK PRIOR TO PLACEMENT OF THE CONCRETE SLAB ON GRADE. REFERENCE MECHANICAL DOCUMENTS.
5. PROVIDE COMPLETE WATER AND SANITARY DISTRIBUTION SYSTEMS. PROVIDE TOILET ROOM PLUMBING FIXTURES, CASEWORK, PARTITIONS, ACCESSORIES, AND FINISHES WHERE SHOWN ON THE FLOOR PLAN AND IN COMPLIANCE WITH CHAPTER 28 PLUMBING SYSTEMS AND THE LETTER AND INTENT OF THE ARIZONANS WITH DISABILITIES ACT, AS ADOPTED BY THE LOCAL BUILDING AUTHORITIES. COMPLY WITH SECTION 1210 SURROUNDING MATERIALS, REFERENCE FINISH SCHEDULE, SHEET A821. COORDINATE PLACEMENT OF ALL UNDERSLAB PLUMBING WORK PRIOR TO PLACEMENT OF THE CONCRETE SLAB ON GRADE. REFERENCE TOILET ROOM PLANS, DIAGRAMS, AND SCHEDULES. REFERENCE PLUMBING DOCUMENTS AND ELECTRICAL DOCUMENTS.
6. PROVIDE A COMPLETE ELECTRICAL SYSTEM INCLUDING BUT NOT NECESSARILY LIMITED TO THE SERVICE ENTRY SECTION, DISTRIBUTION PANELS, CIRCUITRY, CONDUITS AND DEVICES. COORDINATE PLACEMENT OF ALL UNDERSLAB ELECTRICAL WORK PRIOR TO PLACEMENT OF THE CONCRETE SLAB ON GRADE. REFERENCE ELECTRICAL DOCUMENTS. PROVIDE JUNCTION BOXES AND DEDICATED CIRCUITS FOR ALL ILLUMINATED BUILDING AND MONUMENT SIGNAGE. REFERENCE BUILDING ELEVATIONS AND SIGNAGE PACKAGE.
7. COORDINATE SOUND SYSTEM INSTALLATIONS UNDER SEPARATE CONTRACT BY OTHERS. COORDINATE PLACEMENT OF ALL CEILING MOUNTED DEVICES, SPEAKERS, PROJECTION EQUIPMENT, AND OTHER APPLIANCES REQUIRED. PROVIDE ALL BOX OUTS, FRAMING AND BLOCKING, CONDUIT, DEDICATED CIRCUITS, TERMINAL DEVICES, JUNCTION BOXES, AND OTHER ITEMS REQUIRING INCLUSION IN THE BUILDING STRUCTURE FOR USE BY THE SOUND SYSTEM PROVIDER FOR A COMPLETE AND PROPER SOUND SYSTEM. PROVIDE ALL RECONSTRUCTION AND BLOCKING REQUIRED FOR SUPPORT AND ANCHORAGE OF SOUND SYSTEM DEVICES.
8. COORDINATE LAYOUT AND PLACEMENT OF THE AUTOMATED FIRE SUPPRESSION SYSTEM (SPRINKLERS) INCLUDING BUT NOT NECESSARILY LIMITED TO WATER SERVICE, FIRE RISER, AND DISTRIBUTION DEVICES IN ACCORDANCE WITH NFPA 13. COORDINATE PLACEMENT OF ALL UNDERSLAB FIRE SUPPRESSION WORK PRIOR TO PLACEMENT OF THE CONCRETE SLAB ON GRADE. REFERENCE STRUCTURAL DOCUMENTS AND FIRE SUPPRESSION DOCUMENTS BY OTHERS. ADVISE ARCHITECT OF CONFLICTS BEFORE INSTALLATION AND ADJUST AS DIRECTED.

FUTURE RETAIL BUILDING  
PHASE II  
UNDER SEPARATE SUBMITTAL



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FLOOR PLAN

U.S. EGG RESTAURANT  
5840 W. CHANDLER BLVD.  
CHANDLER, AZ

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DOCUMENTS ARE NOT TO BE USED FOR CONSTRUCTION UNTIL ALL ITEMS ARE INITIALED AND DATED

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CITY SUBMITTAL		
DESIGN SET		
CITY APPROVAL		
ISSUED FOR CONSTRUCTION		

PROJECT NO.	07056
PROJECT MGR.	B.L.
DRAWN BY	SWF
CHECKED BY	SWF
PREP. DATE	04-09

NO.	REVISION	DATE
1	1ST CITY REVIEW	01.04.10
2		
3		
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CITY OF CHANDLER  
DEVELOPMENT SERVICES DIVISION