

#26

FEB 08 2007



Chandler · Arizona
Where Values Make The Difference

MEMORANDUM

Planning & Development - CC Memo No. 07-013

DATE: JANUARY 18, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
BOB WEWORSKI, PRINCIPAL PLANNER

FROM: ERIK SWANSON, CITY PLANNER

SUBJECT: UP06-0083 FAMOUS SAM'S

Request: Use Permit extension to sell liquor (Series 6) at an existing restaurant and bar.

Location: 940 N. Alma School Road, Suites 106-109

Applicant: Tom Dickerson

RECOMMENDATION

The request is for a Use Permit extension to sell spirituous liquors (Series 6 Bar License) by individual portions for on-premise consumption, within an existing restaurant and bar located at 940 N. Alma School Road, Suites 106-109. Planning Commission and Staff, upon finding consistency with the General Plan and C-2 (Community Commercial) zoning, recommend approval subject to conditions.

BACKGROUND

Famous Sam's is located at the southwest corner of Alma School and Ray Roads, within the Alma Ray Plaza shopping center. Located within the Alma Ray Plaza there are a variety of businesses including; a realtor, check cashing company, cell-phone store, and a variety of restaurants. North, across Ray Road are a Chinese Restaurant, a Boston Market Restaurant, and a vacant Albertson's grocery store. East, across Alma School Road is a variety of businesses located within the C-2 Community Commercial center.

The subject property has been in operation since 1995. Famous Sam's opened with a Series 12 Restaurant license and in 2004 requested a Use Permit to operate a Series 6 Bar license. Council approved the request with a two-year time condition.

Famous Sam's employs approximately 15-20 persons depending on the season, and is open 11 a.m. to 2 a.m. Monday thru Saturday, and 9 a.m. to 2 a.m. on football Sundays. The subject site has a fully operational kitchen, and serves American food. All employees are required to take Business Council for Alcohol Education (BCAE) classes.

Famous Sam's contributes free food for all Police Beat Meetings in the neighborhood, provides free lunches for participants in the March of Dimes "Jail & Bail" fundraisers, holds raffles for the Susan G. Komen Breast Cancer Foundation twice a month, provides food at the Chandler Police Open House, and contributes to a variety of other fundraisers throughout the year.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday, December 18, 2006. No neighbors were in attendance.
- As of the date of this memo, Staff is not aware of any opposition.
- The Police Department has been informed of the request and has no issues.

PLANNING COMMISSION VOTE REPORT

Motion to Approve: Approve: 5 Oppose: 2 Absent: 2 (Anderson, Irby)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and C-2 zoning, recommend approval of the Use Permit subject to the following conditions:

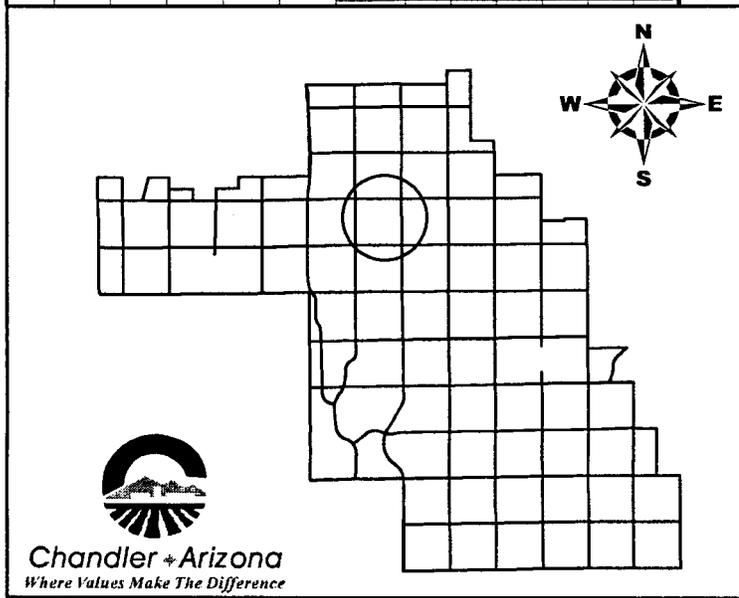
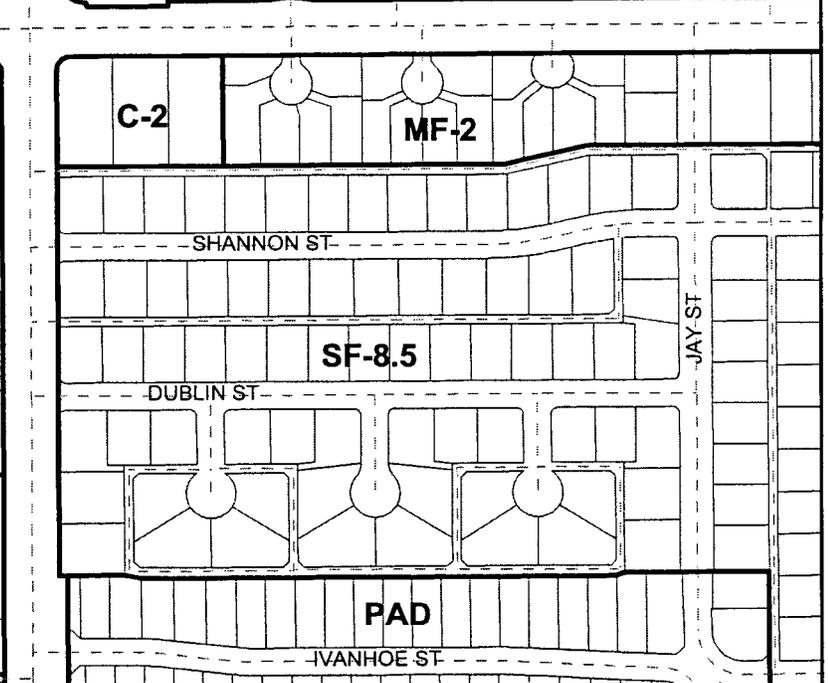
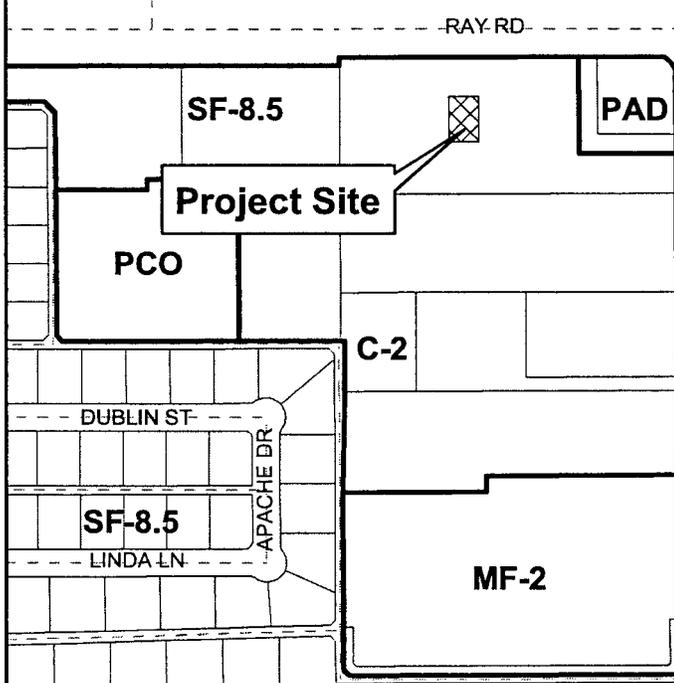
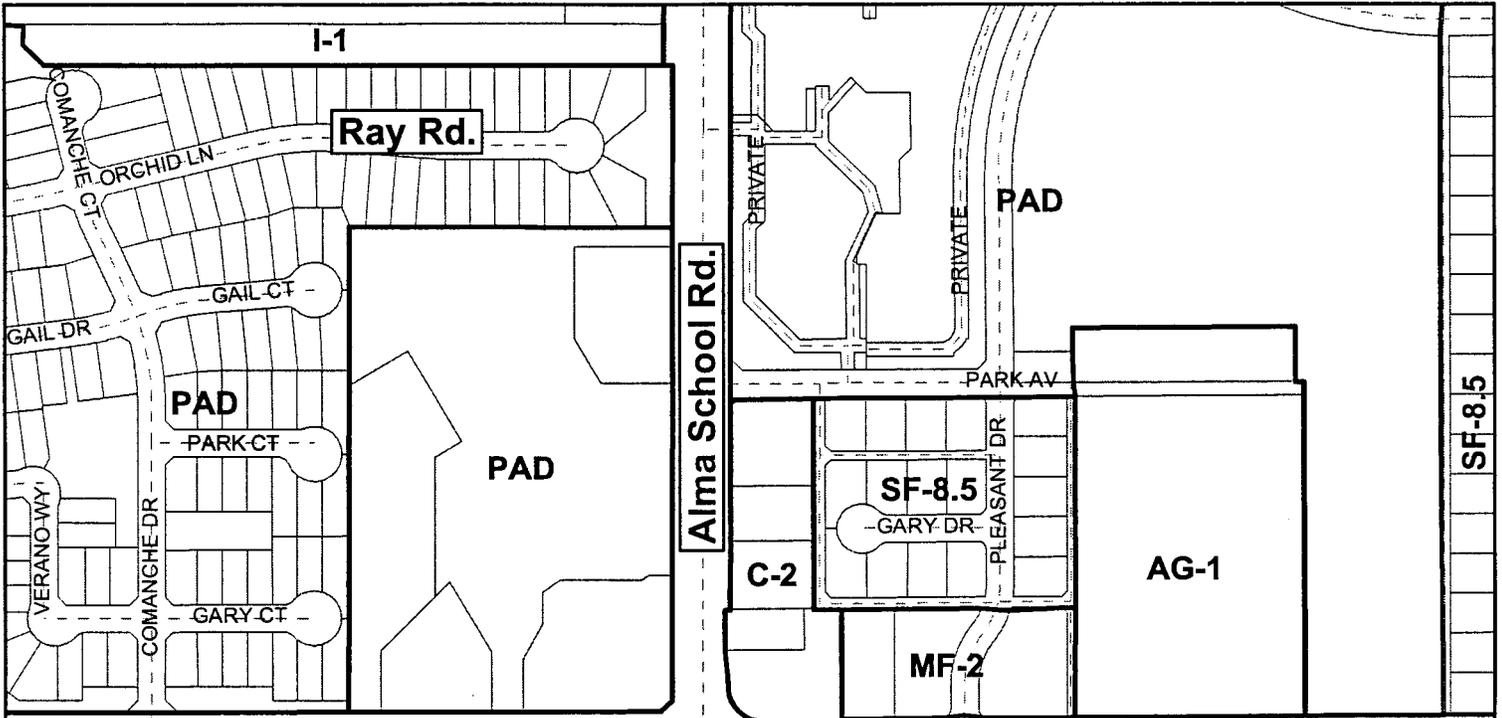
1. The Use Permit is for a Series 6 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of a Use Permit.
4. The Use Permit is non-transferable to any other store location.
5. The Use Permit shall remain in effect for five (5) years 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.

PROPOSED MOTION

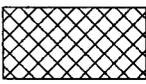
Move to approve UP06-0083 FAMOUS SAM'S, use permit extension for the sale of liquor, subject to the conditions recommended by Planning Commission and Staff.

Attachments:

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



Vicinity Map



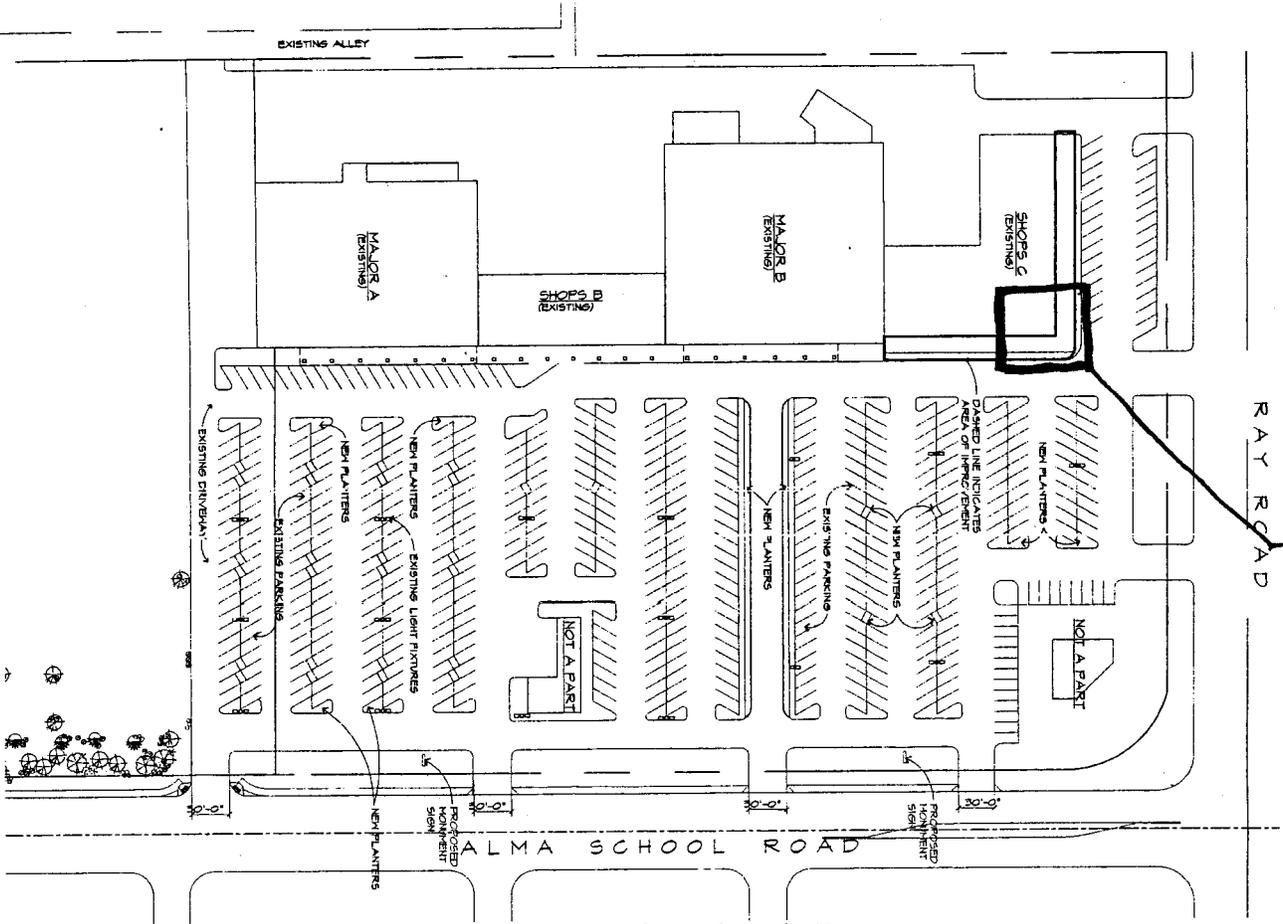
UP06-0083

**Famous Sam's
Liquor Use Permit**

CITY OF CHANDLER 11/16/2006

0 50 100 150
 1" = 100'
 ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS SHOWN ON THIS PLAN TAKE PRECEDENCE OVER ANY OTHER DIMENSIONS. DIMENSIONS SHOWN ON THIS PLAN TAKE PRECEDENCE OVER ANY OTHER DIMENSIONS.

SITE PLAN
 SCALE: 1" = 100'



RAY ROAD
 SITE

N COMPANY II, LLC
C/O MAJESTIC MOUNTAIN
940 NORTH ALMA SCHOOL
SHOPS C
CHANDLER, ARIZONA

PROJECT DIRECTORY

ARCHITECT:
 Robert Kozlak, Architects and Associates, Inc.
 2295 East Thomas Road
 Phoenix, AZ 85016
 (602) 955-5000
 (602) 955-5000 FAX
 (602) 955-5000 FAX
 (602) 955-5000 FAX

STRUCTURAL:
 Siskin, Nishitani Consulting Structural Engineers
 4500 N. Miller Rd.
 Suite 100
 Chandler, Arizona 85226
 (480) 225-2222 FAX
 (480) 225-2222 FAX
 Contact: Fred Nishitani
 (480) 225-2222

OWNER:
 N COMPANY II, AN ARIZONA LIMITED LIABILITY CORPORATION
 C/O MAJESTIC MOUNTAIN
 940 NORTH ALMA SCHOOL ROAD
 CHANDLER, ARIZONA 85226
 Contact: Matt Taylor

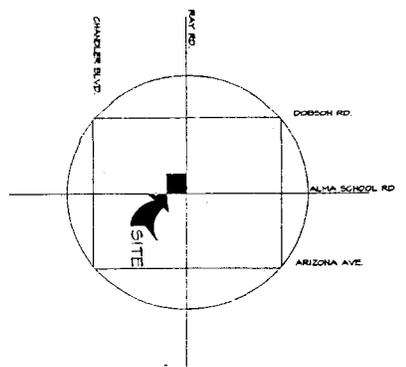
BUILDING DATA

APPLICABLE BUILDING CODES
 2009 INTERNATIONAL BUILDING CODE
 2009 INTERNATIONAL PLUMBING CODE
 2009 INTERNATIONAL MECHANICAL AND ELECTRICAL CODE
 2009 INTERNATIONAL FIRE CODE
 2009 INTERNATIONAL ENERGY CODE

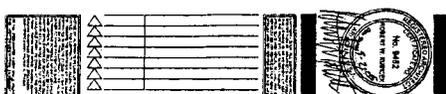
SHEET INDEX

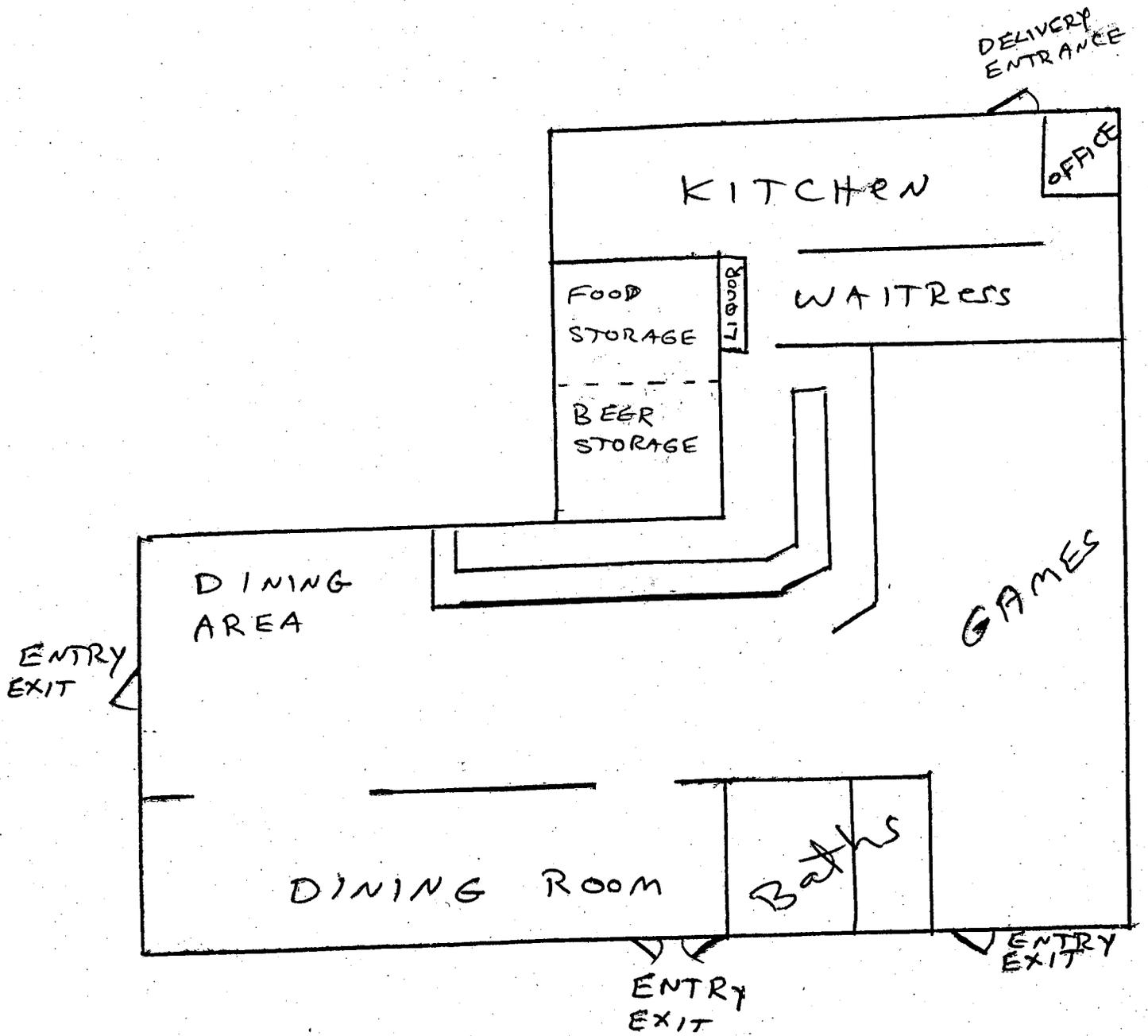
LANDSCAPE
 U-0 LANDSCAPE PLAN

ARCHITECTURAL
 S-1 SITE PLAN / SCOPED SHEET
 S-2 EXISTING ELEVATIONS
 S-3 EXISTING ELEVATIONS
 S-4 EXISTING ELEVATIONS
 S-5 EXISTING ELEVATIONS
 S-6 EXISTING ELEVATIONS
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 S-100 EXISTING ELEVATIONS



VICINITY MAP
 SCALE: 1" = 100'





FAMOUS SAM'S

940 N. ALMA SCHOOL RD

CHANDLER, AZ. 85224



FAMOUS SAM'S
940 n. Alma School Rd.
Chandler, Az. 85224
480-812-1177

City Of Chandler
Planning and Zoning Dept.

Nov. 13, 2006

Dear Sirs:

We are applying for renewal of our Use Permit for Famous Sam's. My husband and I opened the restaurant in 1995 and have operated it ourselves ever since. We opened with a Number 12 license originally and changed to a Number 6 license two years ago.

We have worked hard to maintain our solid reputation as a friendly, safe, neighborhood gathering spot. We have an excellent record with the Liquor Board, the local Police Department, neighbors, landlord, and the greater community.

For more than ten years we have maintained excellent relationships with all our co-tenants in the Plaza. We have attached letters from all the businesses closest to us, recommending approval of our Use Permit.

Even though we have a Number Six license, our Franchise Agreement requires us to have a full kitchen, serving from opening, to an hour before closing. We serve American Food, featuring hamburgers, wings, salads, soups, and dinner specialities. Famous Sam's is one of 29 Famous Sam's franchises in Arizona. Our décor, menu, uniforms, hours of operation, must all be approved by the Franchisor

We recently remodeled the interior, re-novating, painting, installing new dining booths, etc. The public seems to be responding to our fresh new look. The exterior received a major renovation a few months ago and we believe the Alma Ray Plaza is now a huge asset to Chandler.

We are a neighborhood gathering spot for the residents of Chandler as well as for local business people. People come to meet their neighbors, watch sports, listen to music and celebrate special occasions. People reserve whole sections to celebrate promotions, birthdays, and baby showers. They gather at our place for going away parties, and we've even held a few wedding receptions.

We work hard at being good neighbors to everyone around us. We've hosted fundraisers for so many good causes over the last ten years that we have lost count. Some of the most memorable were for fallen Chandler Police Officer Jim Snedigar and for Chandler High

School Coach Jerry Loper. We host yearly March of Dimes BAIL or JAIL fundraisers. We sponsor local softball, and other athletic teams. We regularly donate food to the Police Departments Neighborhood Beat Meetings. We serve food at the Chandler Police Dept Open House every year.

We take our responsibility to our employees seriously. We employ 15 to 20 persons depending on the season. Many are young people going to college who we encourage to finish their educations by working around their changing school schedules as needed. We are proud of having had 6 of our employees graduate from college while working for us. Many more work for a while, then leave to marry or start their families. When they need extra money for a down payment on their first homes, or a new car they come back. Some employees have "re-cycled" back to us 2-3 times as their family's needs change over time.

We have very strict policies regarding minors. We have two ID Verifiers attached to our restaurant software that allows servers to verify drivers licenses are valid and not tampered with. We do not allow minors in our restaurant anywhere except in the main dining room, and only when accompanied by their parents. Minors are required to leave by 10PM. unless they are finishing their dinner with their parents in the dining room.

We work hard to protect our guests. In addition to in-house training, we also require all employees to pass a BCAE Liquor Class. Even employees who have been with us for years are required to retake the class yearly. My husband and I have also taken the BCAE Management classes several times.

For more than ten years we have worked hard to be an asset to the community and have proven we can run a responsible business.

We ask that you approve our Use Permit Application.

Thank You,



Amalia Dickerson

Thomas F. Dickerson

