

#35
FEB 22 2007



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM **Planning and Development – CC Memo No. 07-034**

DATE: FEBRUARY 8, 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: BILL DERMODY, CITY PLANNER

SUBJECT: UP06-0073 CHINO BANDIDO

Request: Extension of premises for Liquor Use Permit in conjunction with Series 12 Restaurant License

Location: 1825 West Chandler Boulevard, Suite #2
Southeast corner of Chandler Boulevard and Dobson Road

Applicant: Chino Bandido Development LLC, Eve Collins

RECOMMENDATION

The request is for a Use Permit to sell alcohol for on-premise consumption only within a restaurant (Series 12 Restaurant License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The restaurant is located within an 11,500 square foot multi-tenant building in the San Marcos Square shopping center at the southeast corner of Chandler Boulevard and Dobson Road. The subject building is located on an interior private drive in the center and set back about 400 feet from Chandler Boulevard. The restaurant has been selling alcohol under an existing Use Permit in conjunction with a Series 12 Restaurant License since 2005. The application requests that the alcohol service area be extended to include an outdoor patio in addition to the previously approved indoor service area, a change that requires a new Use Permit.

The approximate 6,000 square foot restaurant has an indoor seating capacity of 110 persons. An approximate 540 square foot portion of the patio area in front of the restaurant is proposed to be fenced with wrought iron in order to allow provision of alcohol under the existing Series 12

Restaurant License. The enclosed patio, which will be accessed from inside the restaurant through a new door, will include a new flat-panel television, radio for ambience, and provide a seating capacity of approximately 40 persons. The hours of operation are 11:00 a.m. to 9:00 p.m. seven days per week. There are 15 employees at this location. There is no live entertainment.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site 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. According to the application, the anticipated level of food and non-alcoholic beverage revenue at this location is approximately 95 percent.

Planning Commission and Staff find that the fencing of and provision of alcohol to the patio area is an appropriate use at this location. The patio area is generous and the fencing will not interfere with normal pedestrian movement. Additionally, the patio is adequately shielded from neighboring residences by the L-shaped building.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday January 22, 2007 at the Downtown Chandler Community Center. No citizens attended.
- The Police Department has been informed of the application and has responded with no issues or concerns.

At the time of this writing, Staff has received no communications from concerned citizens regarding this proposal.

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval of UP06-0073 CHINO BANDIDO 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 is non-transferable to any other location.
3. 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.
4. 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 the Use Permit.

COMMISSION VOTE REPORT

Motion to approve.

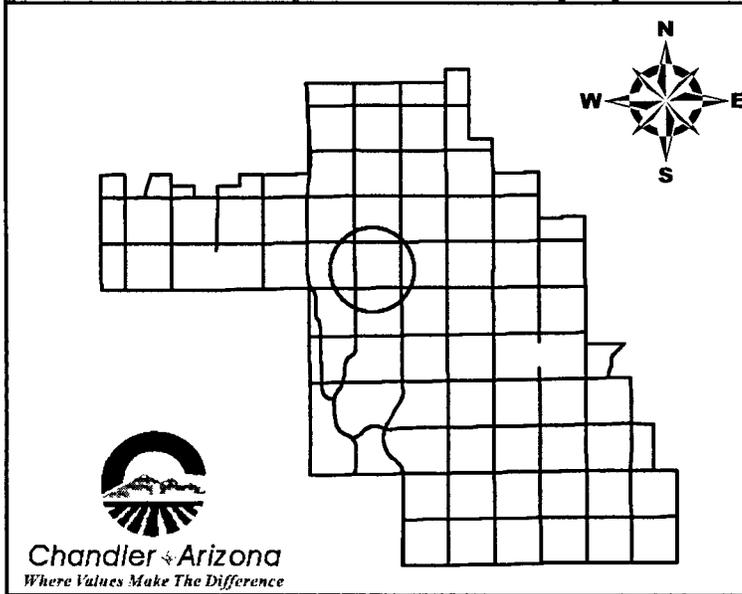
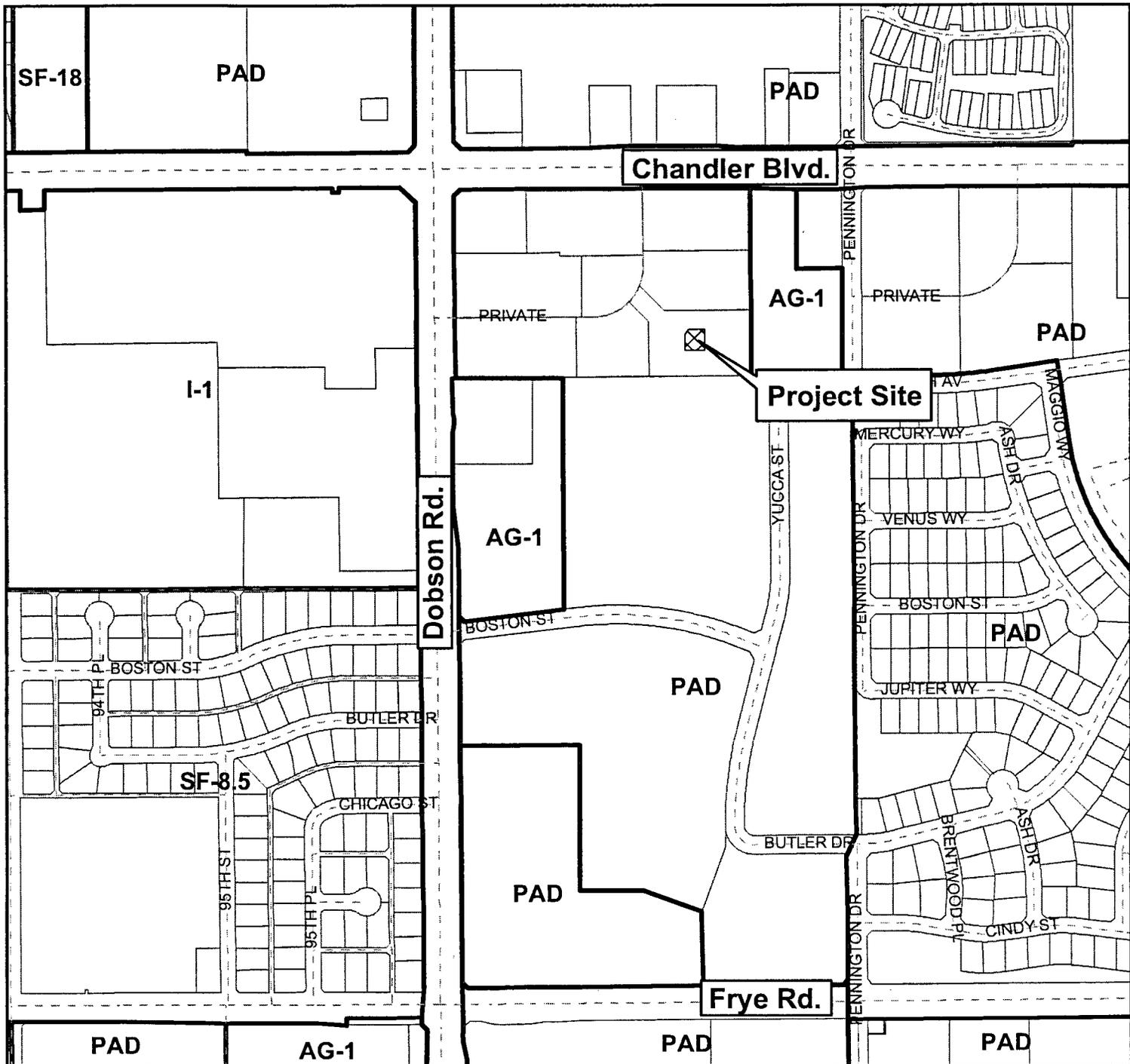
In Favor: 6 Opposed: 0 Absent: 1 (Anderson)

PROPOSED MOTION

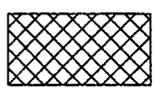
Move to approve UP06-0073 CHINO BANDIDO Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments:

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative
5. Photos of Existing Patio Area (without fencing and other improvements)



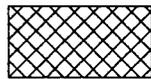
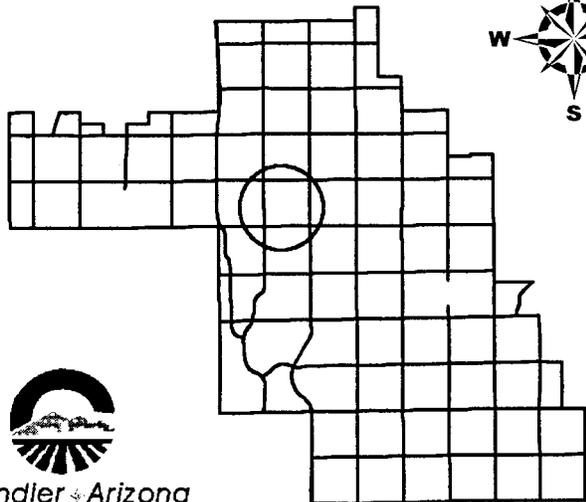
Vicinity Map



UP06-0073
Chino Bandito



Vicinity Map



UP06-0073

Chino Bandito

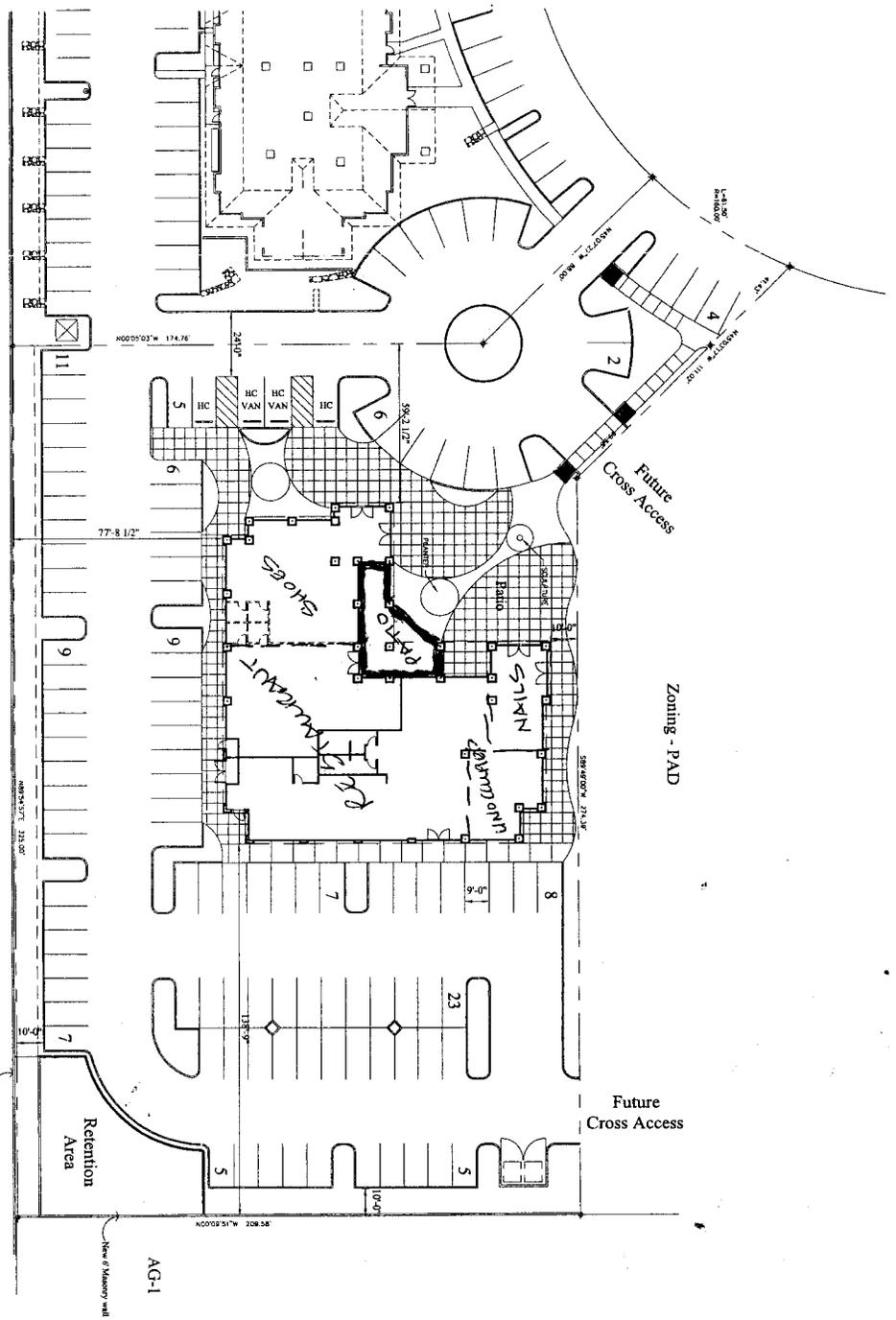


Chandler, Arizona
Where Values Make The Difference

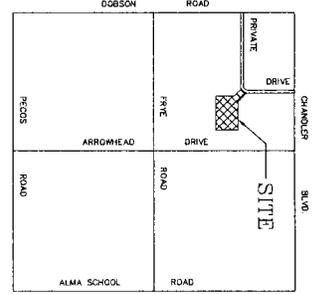
SITE PLAN

Zoning - PAD
Multi - Family

SCALE: 1" = 20'-0"



VICINITY MAP
NOT TO SCALE



NEW RESTAURANT/RETAIL BUILDING
FOR
CHINO BANDIDO
1925 WEST CHANDLER BOULEVARD
CHANDLER, ARIZONA

SKD, INC.
ARCHITECTURE
1425 WEST E. ALBA WAY
CHANDLER, ARIZONA
PHONE: 480.841.1144
FAX: 480.841.1145
WWW.SKDARCHITECTURE.COM



A-0.00
SHEET

NO.	REVISIONS	BY

DRAWN/CHECKED: KP
 ISSUE DATE: 05/05/10
 JOB NO.: 050105
 SHEET: A-0.00

PROJECT NARRATIVE

Chino Bandido Development, LLC of which Frank and Eve Collins are members, is requesting a Use Permit for the purpose of extending the area permitted with the existing #12 liquor license for the Chino Bandido Restaurant located at 1825 West Chandler Boulevard, in the San Marcos Square development. The legal description of this property is Lot 3, San Marcos Square.

Frank and Eve Collins are the owners of the property located at 1825 West Chandler Boulevard, which was zoned C-2 with office pad overlay and was re-zoned in 2003 to C-2 with restaurant and retail pad overlay (DVR02-0042). They are also the original developers and majority owners of Chino Bandido Restaurant, which occupies 6,000 square feet of the existing 11,000 square feet building. The building and development of the parcel was completed by in June, 2005.

As the owners and developers of the property, Mr. and Mrs. Collins have conscientiously followed the recommendations and requirements of the planning and development departments of the City of Chandler. The goals of the Chandler General Plan have been considered and maintained.

Chino Bandido was established November, 1990 in northwest Phoenix. It is a multi-cultural family-oriented restaurant. Although the original location has had a #12 liquor license since 1994, liquor sales amount to less than 1% of total sales. There is no area designated as a bar. The focus is to provide a pleasant, comfortable atmosphere for families and business workers to gather for an affordable, unique dining experience.

The marketing of the liquor choices for Chino Bandido customers at the San Marcos Square location will be a small display at the counter where bottles will be placed in an ice bin. Storage of the remainder liquor inventory is in a locked cage inside the walk-in refrigerator. Again, there is not to be a designated area for a bar, and there will be one television monitor at this location. The anticipated 15 employees of this location will be devoted to providing quality food at reasonable prices in a safe, clean and inviting environment. Chino Bandido also proposes to add satellite radio to the patio area to create an enjoyable atmosphere. Emphasis will remain on the food, with anticipated liquor sales to remain under 5% of total sales.

