

#47
AUG 09 2007



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MEMORANDUM Planning & Development - CC Memo No. 07-183

DATE: JULY 20, 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, PLANNING MANAGER

FROM: ERIK SWANSON, CITY PLANNER

SUBJECT: UP07-0047 ANISE VIETNAMESE RESTAURANT

Request: Use Permit Approval for a Series 12 (Restaurant) liquor license

Location: 2090 N. Dobson Road, Suite #4
 Northwest corner of Dobson and Warner Roads

Applicant: Thanh Ngyugen

RECOMMENDATION

The request is for a Use Permit to sell liquor by individual portions for on-premise consumption (Series 12 license) to restaurant patrons in an existing restaurant. Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval with conditions.

BACKGROUND

The subject site is located at the northwest corner of Dobson and Warner Roads, within the Valle del Sol commercial shopping center. The subject site is part of a portion of inline shops that share a common wall with the LA Fitness. Within the Valle del Sol shopping center there is a Mobil gas station at the intersection corner, a vitamin shop, tanning salon, nail shop, Starbuck's and two fast food restaurants. The center is anchored by LA Fitness.

The subject site has been open approximately one year, and is now requesting the ability to serve liquor to its patrons. The restaurant is approximately 3,249 square feet. The main dining area is approximately 1,220 square feet, and will provide seating for approximately 82 patrons. The

kitchen/food preparation area is approximately 1,000 square feet. There is no outdoor dining area. The restaurant is open from 11 a.m. to 9 p.m. Tuesday thru Saturday, 11 a.m. to 8 p.m. on Sunday, and closed on Mondays.

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

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six-hundred (600') foot radius and all Registered Neighborhood Organizations (RNO's) within one ¼ mile.
- A legal notice was advertised in the newspaper.
- An 11" by 17" public hearing sign was installed on the property.
- A neighborhood meeting was Monday June 4, 2007. No neighbors were in attendance.

As of the writing of this memo, Staff has received no phone calls or letters of opposition to this Use Permit request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve: In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of UP07-0047 ANISE VIETNAMESE RESTAURANT, subject to the following conditions:

1. The Use Permit is granted for a Series 12 license only, and any change 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. The Use Permit is non-transferable to other store locations.

PROPOSED MOTION

Move to approve UP07-0047 ANISE VIETNAMESE RESTAURANT, Use Permit for a liquor license, subject to the conditions recommended by Planning Commission and Staff.

Attachments:

1. Vicinity Map
2. Site Plan
3. Floor Plan



Project Site

Dobson Rd.

Warner Rd.

Vicinity Map



UP07-0047

**Anise Vietnamese Restaurant
Liquor Use Permit**



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CITY OF CHANDLER 5/25/2007

EXISTING RESIDENTIAL (ORANGETREE)

EXISTING MASONRY SCREEN WALL, TYP.

DOUBLE ROW OF EVERGREEN TREES @ 10' ON CENTER PER ZONING STIPULATION

TRAFFIC SIGNAGE RESTRICTING RIGHT-IN, RIGHT-OUT MOVEMENTS ONLY.

EXISTING CURB CUT

CURB CUT LOCATION & CONFIGURATION ACCEPTED PER CITY TRAFFIC ENGINEER'S RECOMMENDATION JULY 6, 2000

EXISTING CURB CUT

SUBJECT SITE

EXISTING CURB CUT

DOBSON ROAD

EXISTING CURB CUT

EXISTING MEDIAN

SUBJECT SITE

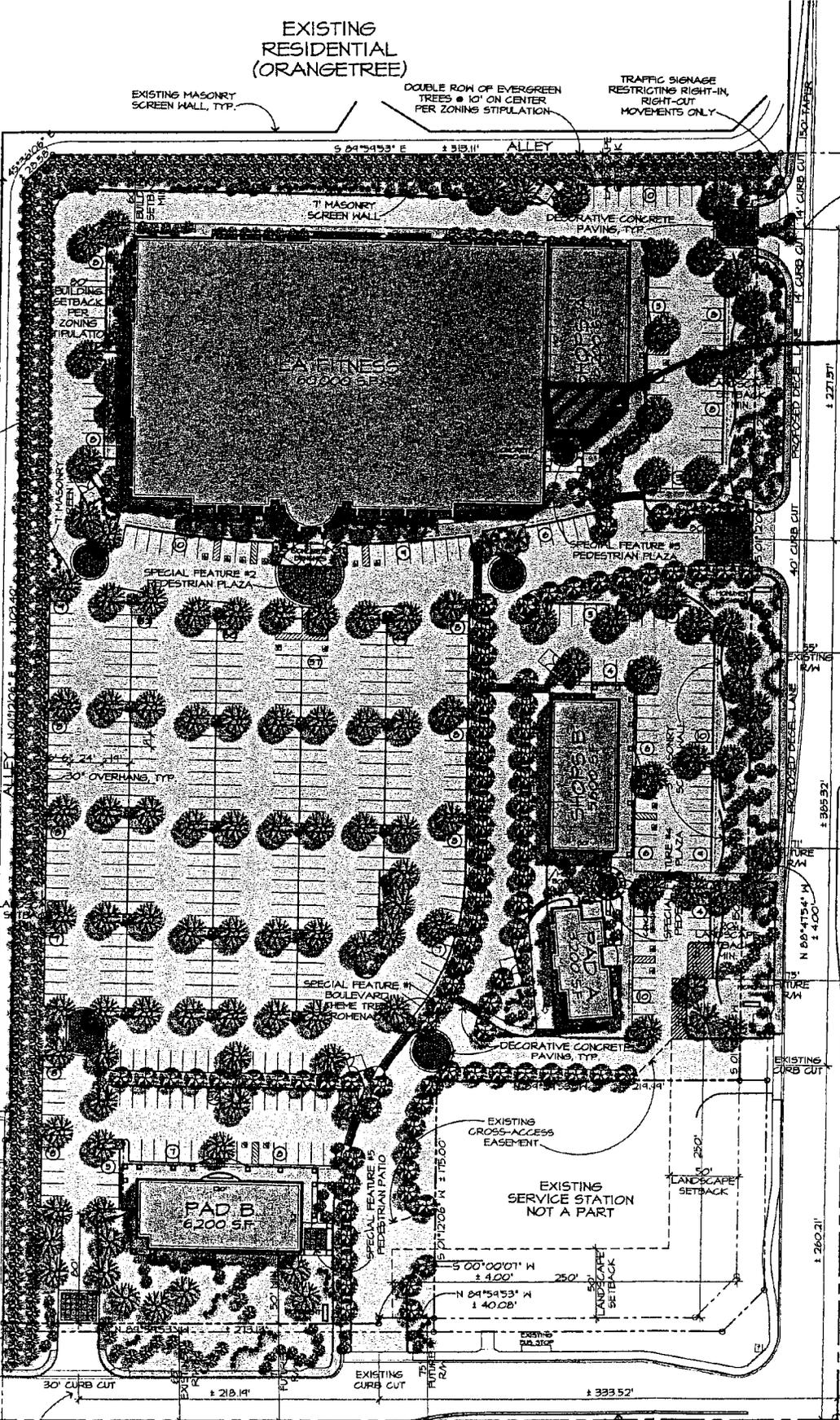
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DOUBLE ROW OF EVERGREEN TREES @ 10' ON CENTER PER ZONING STIPULATION

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W. LOS ARBOLES



CURB CUT LOCATION & CONFIGURATION ACCEPTED PER CITY TRAFFIC ENGINEER'S RECOMMENDATION JULY 6, 2000

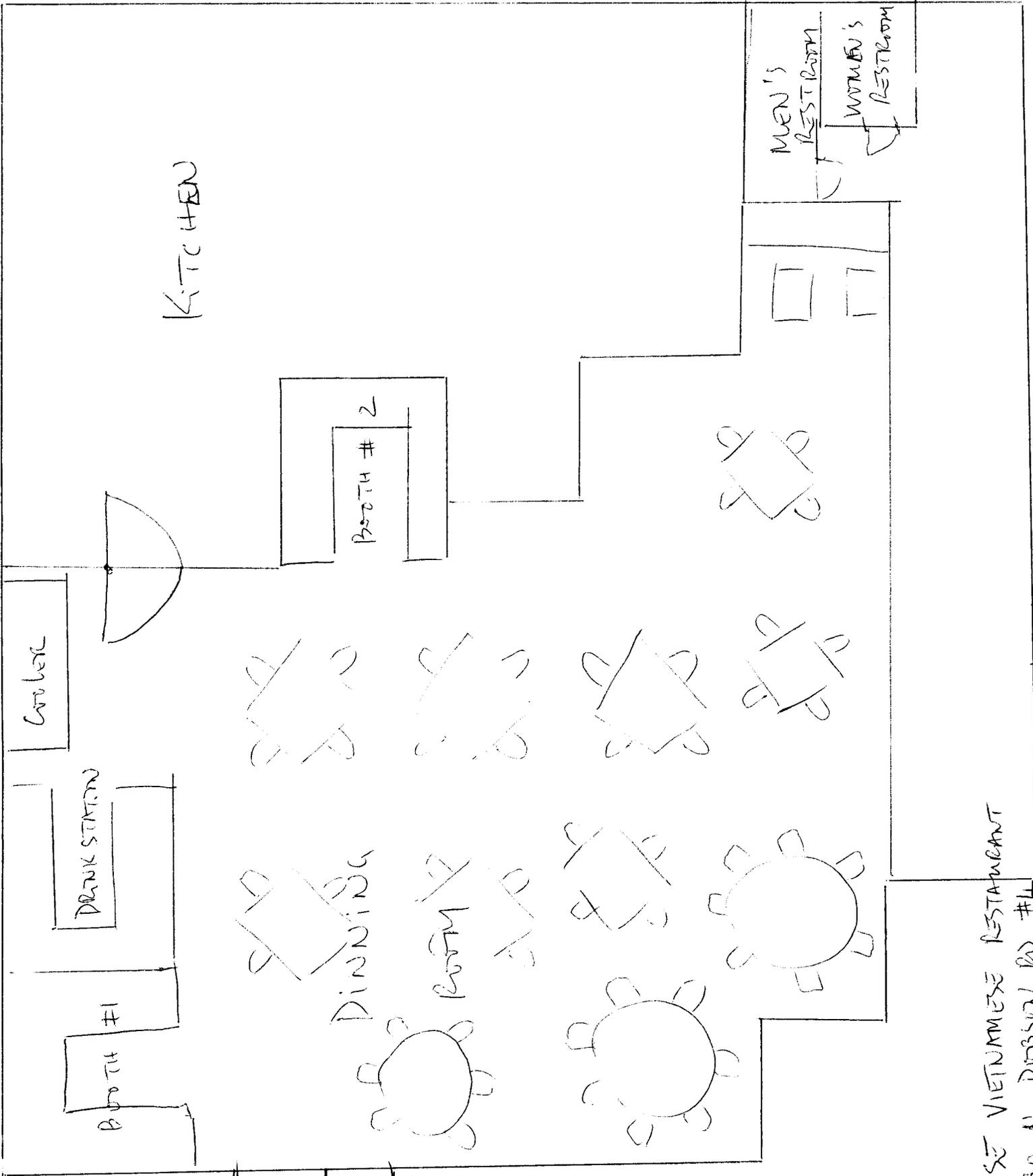
EXISTING CURB CUT

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WARNER ROAD

EXISTING MEDIAN

TRAFFIC SIGNAL



ANISE VIETNAMESE RESTAURANT
 2090 N. DUBSON RD #4
 CHANDLER AZ 85224