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OCT 25 2007



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**MEMORANDUM                      Planning & Development - CC Memo No. 07-250**

**DATE:**            OCTOBER 4, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER *WMP*  
                         DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR *DB*  
                         JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *JK*  
                         BOB WEWORSKI, PLANNING MANAGER *KH BW*

**FROM:**            ERIK SWANSON, CITY PLANNER *KS ES*

**SUBJECT:**        UP07-0063 ZPIZZA

**Request:**            Use Permit approval to sell liquor for on-premise consumption only within a new restaurant (Series 12 Restaurant License)

**Location:**            2855 W. Ray Road, Suite #7  
                         Southeast corner of Ray and Price Roads, within the Raintree Ranch shopping center

**Applicant:**            John Von Der Ahe

**RECOMMENDATION**

The request is for Use Permit approval to sell liquor for on-premise consumption only within a new restaurant (Series 12 license) to restaurant patrons. Planning Commission and Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval subject to conditions.

**BACKGROUND**

The subject site is located at the southeast corner of Ray Road and the Price Road off-ramp. The subject site is part of a larger approximate 17-acre site that includes a variety of commercial uses. The subject site is located on the eastern portion of the site, within a section of in-line shops. North, across Ray Road is Crossroads Church of the Nazarene. East of the site is the Raintree Ranch single-family residential neighborhood. Directly south, behind the approved center, is a University of Phoenix building.

ZPizza is a fast-casual pizza parlor that specializes in providing gourmet, health-conscious pizzas, salads, calzones, and sandwiches. This site will be the second for Chandler and the fourth for Arizona. ZPizza will be open from 11 a.m. to 9 p.m. seven days a week and will employ approximately 10-15 people, with 5-7 employees and 2 managers being present during each shift. The subject site is approximately 1,430 square feet. The dining area is approximately 420 sq. ft. The kitchen/storage/food preparation area is approximately 667 sq. ft. Indoor dining will seat approximately 28 patrons. No outdoor dining is being provided.

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.

The restaurant is proposing to be open by the end of November.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

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

- A neighborhood meeting was held on Tuesday September 18, 2007 at the Downtown Community Center. No neighbors were in attendance.

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

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 3    Opposed: 0    Abstain: 1 (Flanders)    Absent: 2 (Creedon, Rivers)

### **RECOMMENDED ACTION**

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

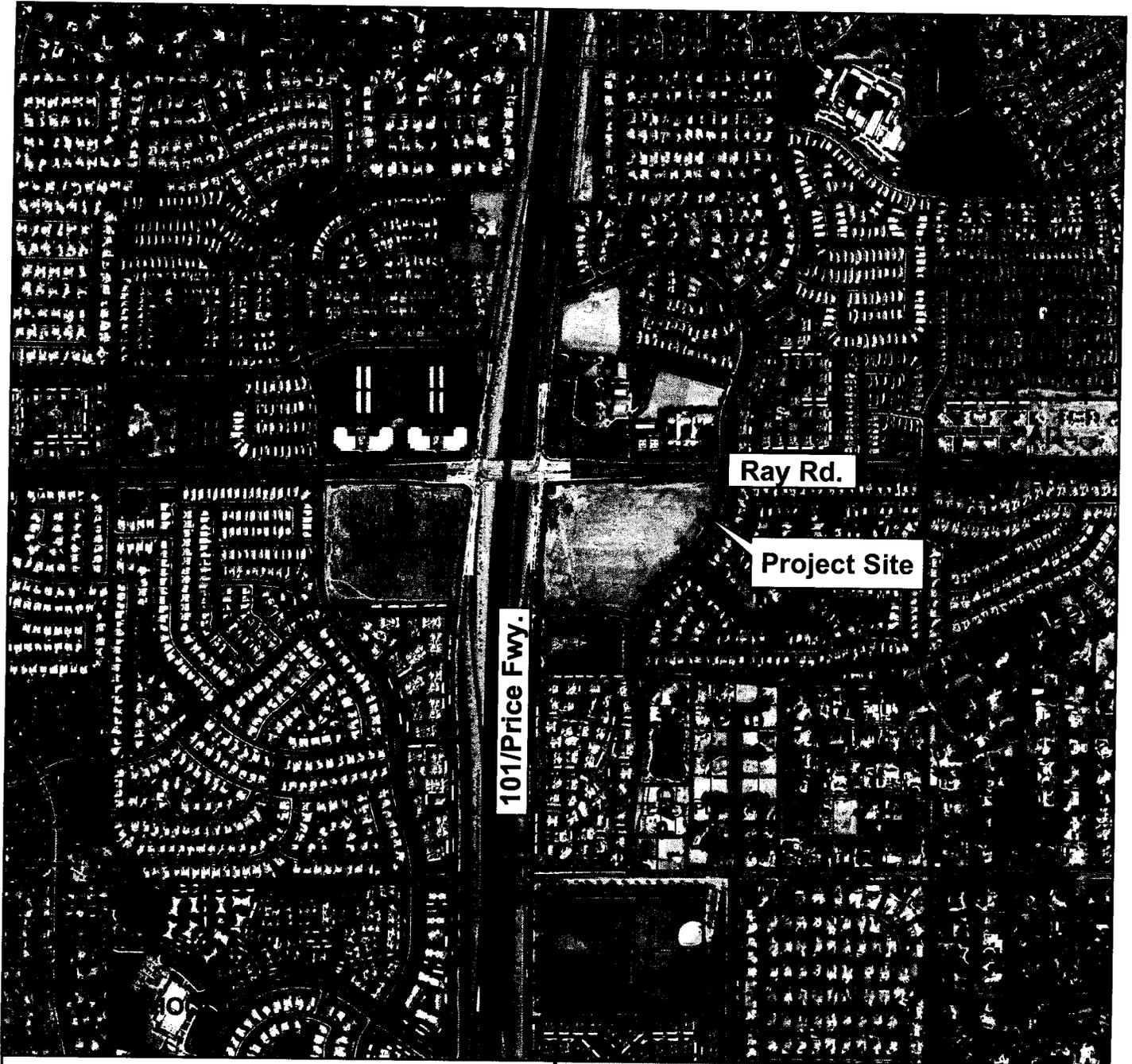
1. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, and Floor Plan) shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to other store locations.

### **PROPOSED MOTION**

Move to approve UP07-0063 ZPIZZA, 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

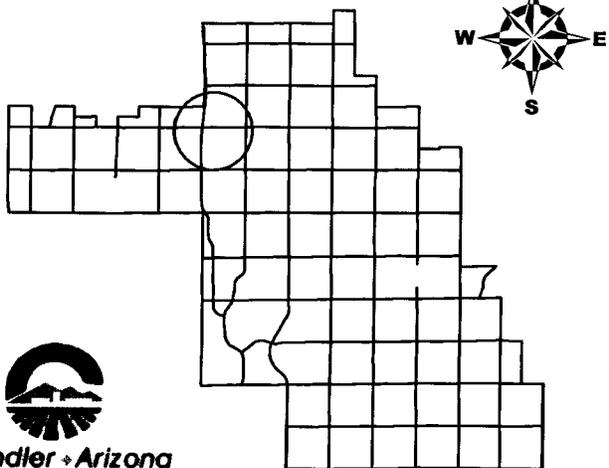


Ray Rd.

Project Site

101/Price Fwy.

## Vicinity Map



UP07-0063

ZPizza  
Liquor Use Permit



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CITY OF CHANDLER 7/5/2007



