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OCT 25 2007



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MEMORANDUM Planning and Development – CC Memo No. 07-234

DATE: OCTOBER 18, 2007

TO: MAYOR AND CITY COUNCIL

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

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: UP07-0088 MAJERLE'S SPORTS GRILL

Request: Use Permit approval to allow liquor sales and service under a Series 12 Restaurant License for on-premise consumption within an expanded patio area

Location: 3095 W. Chandler Boulevard at Chandler Fashion Center mall on the southeast corner of Metro Blvd. and Chandler Blvd. directly behind Compass Bank

Applicant: David Sanclemente

RECOMMENDATION

The application requests Use Permit approval to allow liquor sales and service as permitted under a Series 12 Restaurant License for on-premise consumption within an expanded patio area at a new restaurant within the Chandler Fashion Center mall area. Planning Commission and Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval.

BACKGROUND

The applicant's request is for Use Permit approval to sell liquor as permitted under a Series 12 Restaurant liquor license within an expanded patio area. A Series 12 license, which is considered a "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.

The new restaurant is replacing the former Rockfish Seafood Grill located within the Chandler Fashion Center mall area. The former restaurant was approved a Use Permit for liquor sales as permitted under a Series 12 Restaurant license in March 2002. The approval included the interior dining area and outdoor patio areas. The new restaurant is expanding the outdoor patio on the building's north side. The expansion requires the approval of a new Use Permit.

The patio on the building's north side is being expanded for seating and to accommodate a lawn bowling court (Bocce Ball). The northern patio currently accommodates approximately 44 seats. The patio expansion provides for an additional 16 seats for a total of 60 seats. The patio expansion is approximately 8 feet x 35 feet, 280 square feet in size. In addition, a Bocce Ball court will be constructed next to the patio in an 8 foot x 40 foot, 320 square foot area. The court will accommodate a maximum of 8 people. The patio's expansion for seating and the Bocce Ball court adds approximately 15 to 20 people more than allowed with the existing Use Permit.

Majerle's Sports Grill is a full-service sports theme restaurant with an upscale environment. The establishment offers viewing of various sports on televisions. There is no live entertainment or dancing. The restaurant is open from 11 to 1 a.m. Sunday through Thursday, and 11 to 2 a.m. Friday and Saturday. Food service is available until 30 minutes prior to closing on all nights.

The development expects to open for business by November 2007.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant mailed a neighborhood notice letter to area property owners. The applicant and Staff have not received any calls related to this request.
- The Police Department has been informed of the application and has responded with no issues or concerns.
- At the time of the memo, Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve. In Favor: 6 Opposed: 0

Commission asked for clarification on the type of railing that will cordon-off the Bocce Ball court and expanded patio area. Staff conveyed the railing would match the existing railing utilized for the restaurant's patio, but the railing will be painted brown to match the patio's wood beams.

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of UP07-0088 MAJERLE'S SPORTS GRILL Use Permit, 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 Use Permit re-application and approval.

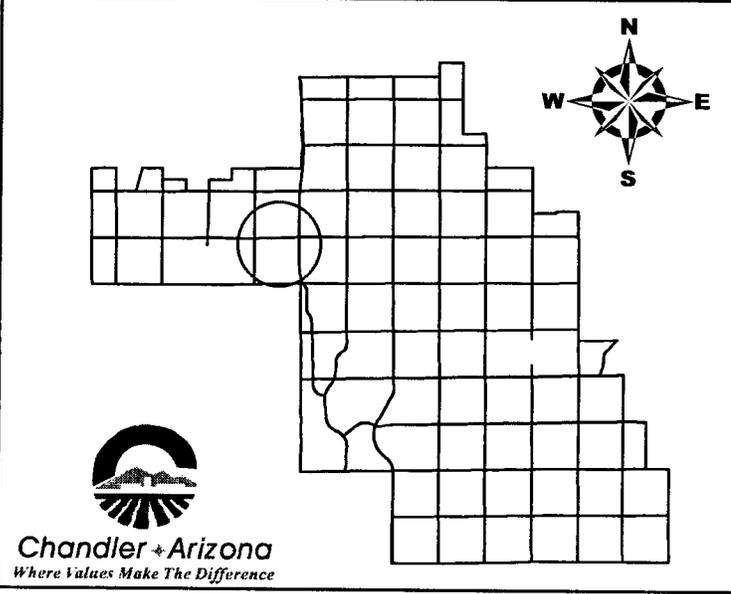
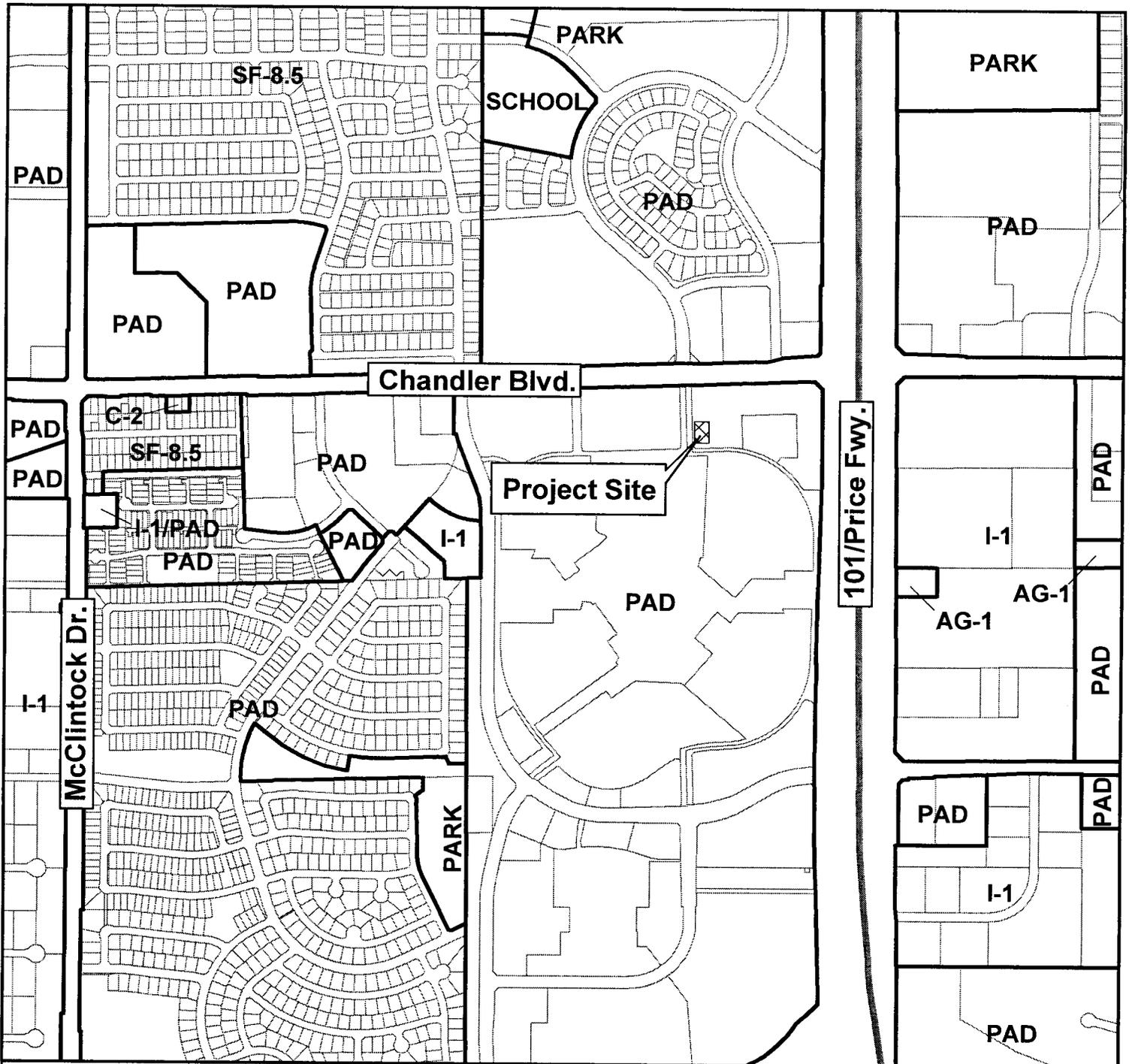
2. Any substantial change in the floor plan to include such items as, but not limited to, a bar serving area or the addition of entertainment related uses shall require new Use Permit reapplication and approval.
3. The Use Permit is granted for a Series 12 license only, and any change of licenses shall require re-application and new Use Permit approval.
4. The Use Permit is non-transferable to other restaurant locations.
5. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

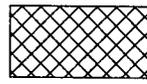
Move to approve Use Permit case UP07-0088 MAJERLE'S SPORTS GRILL, subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan
5. Elevations
6. Photos



Vicinity Map



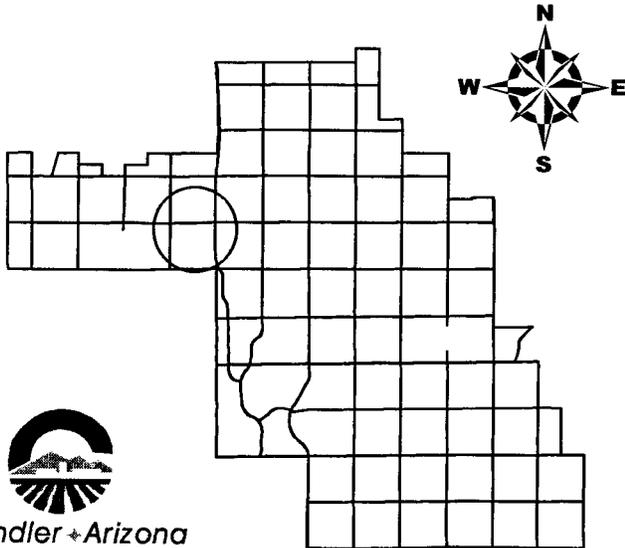
UP07-0088

**Majerle's Sports Grill
Liquor Use Permit**





Vicinity Map



UP07-0088

**Majerle's Sports Grill
Liquor Use Permit**



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CITY OF CHANDLER 9/12/2007

Liquor Use Permit – Attachment

SUBMITTED BY:

Dave Sanclemente (CONTACT PERSON)

Manager – Majerles 9 LLC

DBA – Majerle’s Sports Grill

3095 ~~3905~~ W. Chandler Blvd.

Chandler, AZ 85226

(480) 899-7999

SUBMITTED TO:

City of Chandler

Planning and Development Department

Date: September 10, 2007

Majerles 9, LLC, DBA Majerle’s Sports Grill is a new business venture occupying the former Rockfish Seafood Grill property located at ~~3905~~ 3095 W. Chandler Blvd.

Majerle’s Sports Grill is located within the Westcor mall project known as Fashion Center. We are seeking approval for a Series 12 Liquor License from the City of Chandler, with additional “uses” granted for our patio space.

Having used the design and architectural services of locally known professionals Kimberly Harris and Julian Espinoza, we have recently finalized a space plan and remodeling plan for the space. The overall space plan for the business formerly known as Rockfish will remain largely intact. The following is a description of changes and similarities:

Main Dining Room: Rockfish sat 160, Majerle’s will seat approximately 150. Replace hard wood furniture which was in poor condition with all new custom furniture featuring leather grains and granite simulated surfaces.

Bar/Lounge Area: Rockfish sat approximately 20 in the interior bar/lounge area. Majerle’s will seat approximately 22. Replace bar design and bar furniture with a more up to date look. All new furniture.

Patio: Rockfish sat approximately 44 on its dining patio. Majerle’s floor plan calls for an additional, expanded, seating area of approximately 8’ by 35’ attached to the existing patio. This will create a patio seating area of approximately 60. Additionally, Majerle’s is requesting an expanded usable patio area of approximately 8’ by 40’ for the purpose of designing, building and utilizing a lawn bowling court. The lawn bowling court will hold a maximum of 8 people at one time. Cumulatively, Majerle’s is seeking to expand the occupancy of the patio area by approximately 15 – 20 persons.

Concept: Majerle's Sports Grill is a full-service sports theme restaurant. The décor of the space is upscale, the service standards are in excess of casual chain restaurants and the primary form of attraction beyond excellent food and service will be sports viewing on an unrivaled state of the art audio visual system displayed throughout the space.

Menu (██████████): The Majerle's Sports Grill of Chandler will utilize the existing menu of the downtown Phoenix Majerle's Sports Grill with key additions in the area of gourmet pizzas, Panini grill items, signature entrees and additional desserts. *(NOTE: The existing Majerle's Sports Grill in Phoenix has operated successfully and in good standing with a Series 12 liquor license for a period of approximately 15 years.)*

Signage: Four exterior back lit signs will be used in the same spaces the Rockfish signs occupied. All sign design and installation will be in accordance with all landlord, city, and other relevant regulations and restrictions.

Smoking: Management intends to open and operate Majerle's Sports Grill as an entirely smoke free restaurant. Management reserves the right to alter that intention but fully understands the restrictions of the recently enacted Arizona Smoke free law.

Hours of Operation: 11:00 AM to 1:00 Sunday though Thursday. 11:00 AM to 2:00 AM Friday and Saturday evenings. Food service available until 30 minutes prior to closing on all nights.

Entertainment: Majerle's Sports Grill does not provide live entertainment or dancing. It's attraction beyond food and beverage services is sports viewing designed for families, local groups and businesses.

Employees: Majerle's Sports Grill will employ approximately 30 - 35 persons depending on seasonal issues and fluctuations. Additionally, we will employ approximately six full time, fully trained, experienced salary level managers.

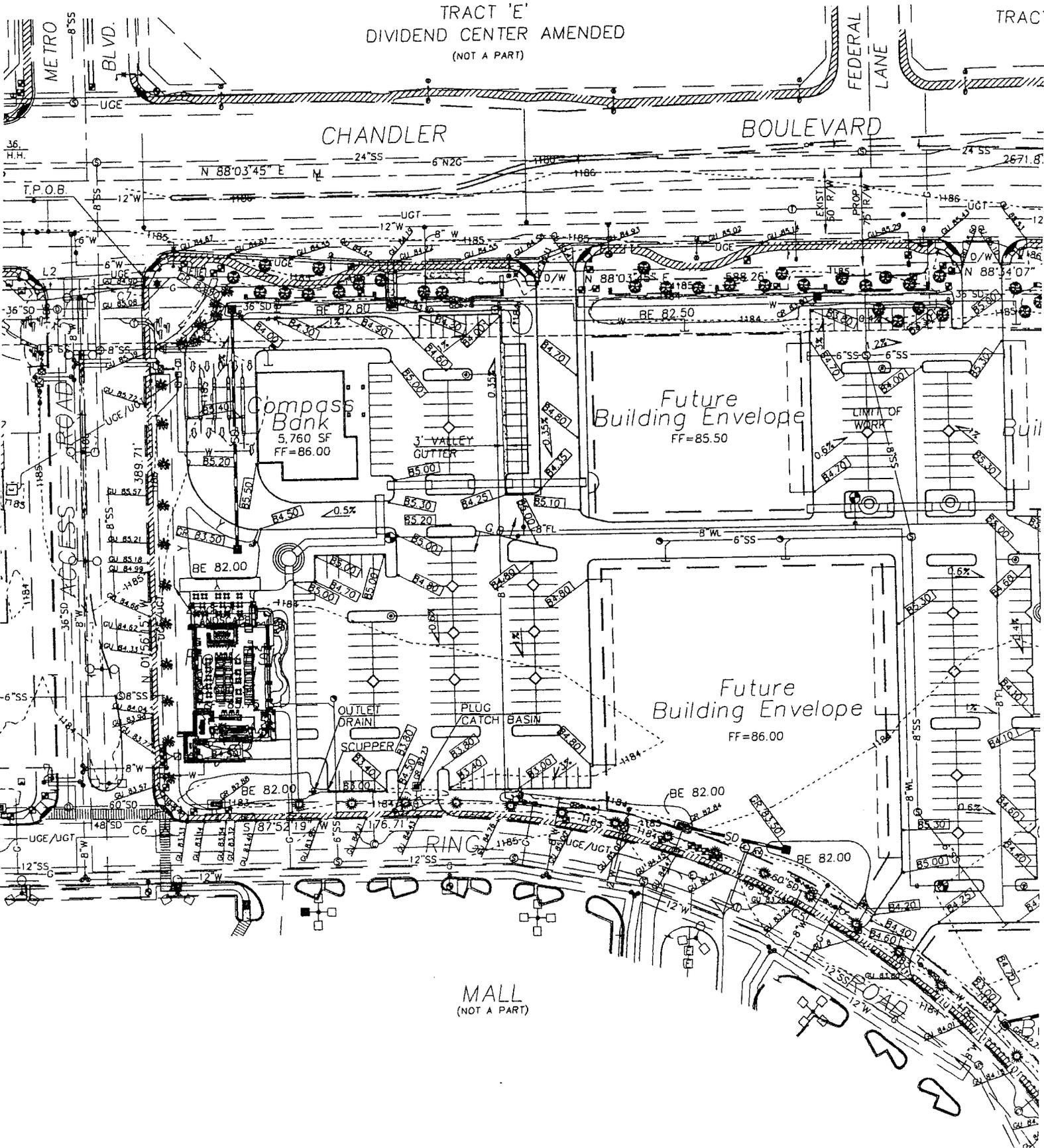
Facility: As noted previously, management has utilized the architectural and design services of two exceptionally accomplished restaurant professionals, Julian Espinoza and Kimberly Harris. Management has applied in excess of 1.4M in the way of a capital investment into this project as it relates to acquisition, design, remodeling and start-up expenses. The investment level in a space that size speaks for itself. Management has committed funds to invigorate a failed restaurant enterprise in an otherwise exceptionally vibrant marketplace.

- Exterior: Paint building to an up to date and fresh finish (as approved by the City of Chandler). Remove limited architectural features such as faux rock and replace with highj-end porcelasin tiles (as approved by the City of Chandler). Add patio space as noted above.

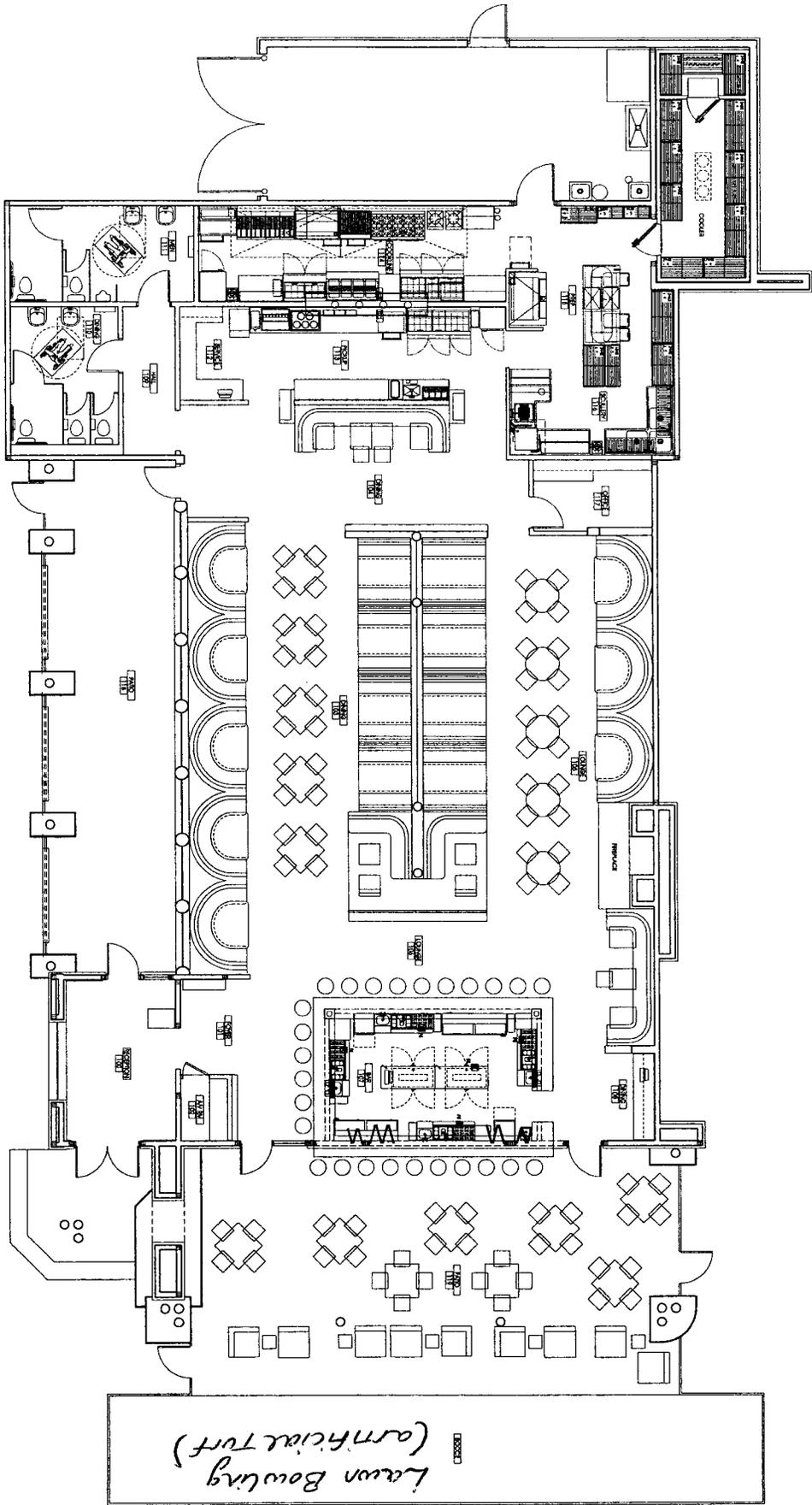
- Interior: The kitchen area has had its flooring fully replaced with up to date materials. New equipment has been added. The capacity of the food program, has been expanded. All new wall surfaces, flooring finishes and furniture.

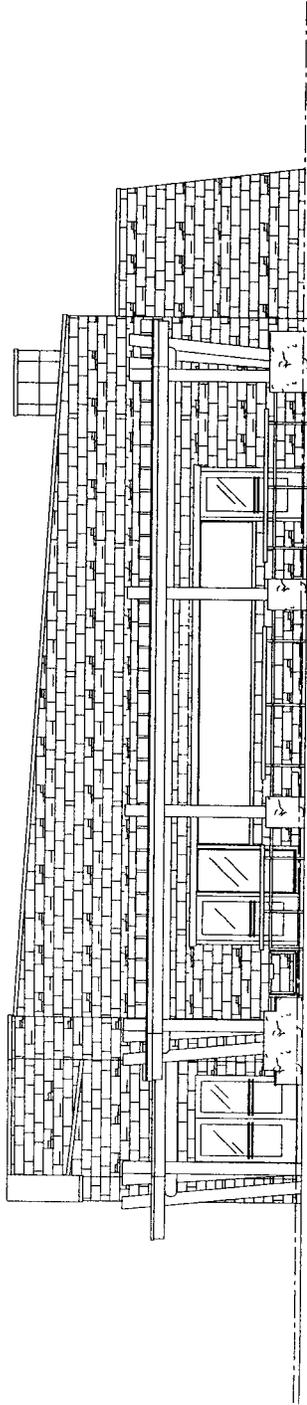
Community: Majerle's Sports Grill of Chandler seeks to be an active and positive member of its community. Our reputation of being actively involved in civic and charitable endeavors is well established and something we are quite proud of.

TRACT 'E'
DIVIDEND CENTER AMENDED
(NOT A PART)



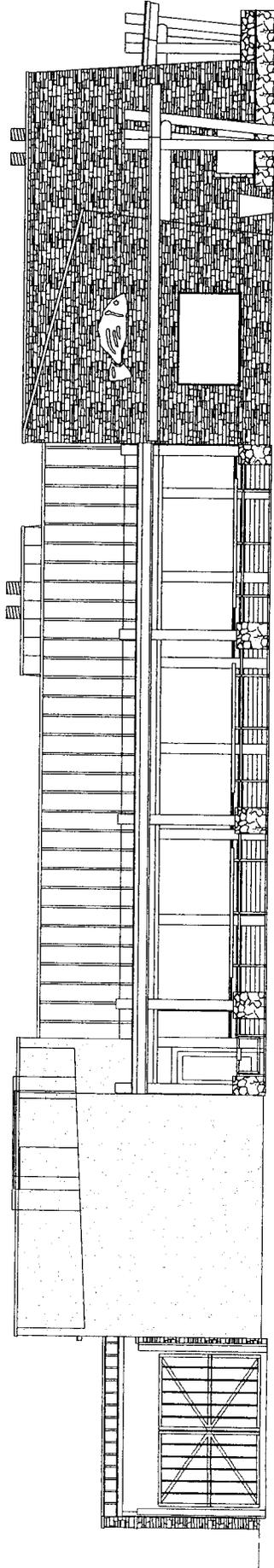
MALL
(NOT A PART)



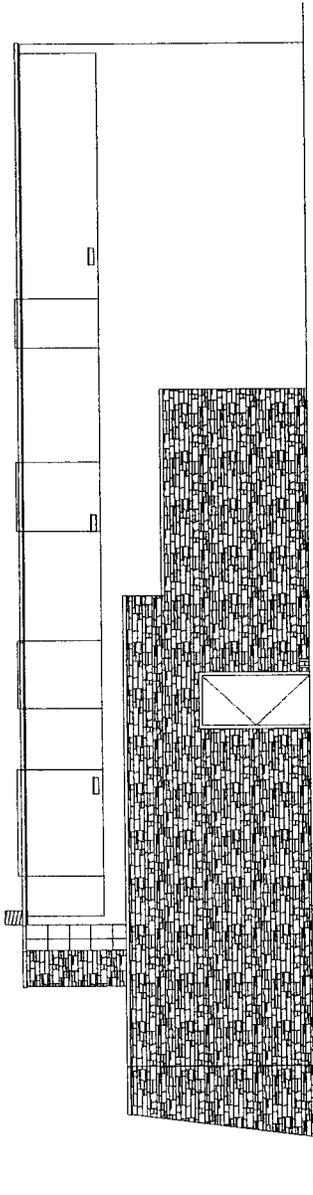


PATIO ELEVATION

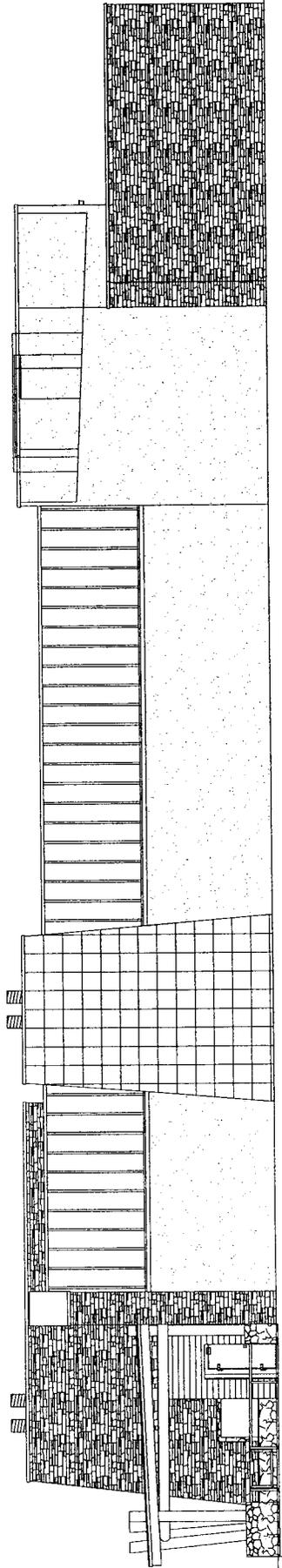
01 FRONT ELEVATION
SCALE 1/4" = 1'-0"



02 LEFT ELEVATION
SCALE 1/4" = 1'-0"



01 REAR ELEVATION
SCALE: 1/4" = 1'-0"



02 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



Area north of patio for
additional patio area and
Bocceball court



existing North patio